

# MIRAMICHI MURDERS, MYSTERIES AND MAYHEM



JEFFERY ADAM MORRISON

FOREWORD BY DAVID ADAMS RICHARDS

***MIRAMICHI MURDERS, MYSTERIES &  
MAYHEM***

TRUE CRIME, HISTORICAL HOMICIDE,  
STRANGE / SUSPICIOUS DEATHS AND  
MISSING PERSON CASES  
FROM NORTHUMBERLAND COUNTY,  
NEW BRUNSWICK

BY  
JEFFERY ADAM MORRISON

WITH A FOREWORD  
BY  
DAVID ADAMS RICHARDS



**MIRAMICHI BOOKS • SAINT JOHN • NEW BRUNSWICK**

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For My Son, Liam

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## FOREWORD

This book, about murders committed on the Miramichi River is at its heart a stunning illustration of people, places and events that have shaped us over the past 200 years. It is a glimpse of a bygone time that never seems quaint or vague, but a valuable look into the lives of our first settlers; the Irish, Scottish immigrants, the Acadians, and First Nation men and women. Here is the pulse of life and longing that shows our history; where we came from and who we were and are.

This depiction of our past (and to our present) is in itself a stunning accomplishment, a treasure and a fine gift from a talented and passionate Miramichi. It is also from its earliest pages a heart rending chronicle of misfortune, and scapegoating (*The unmarried middle aged woman dying when forced to give birth in secret because of shame*), misjudgement and foolish escapade, that lays bare both human neglect and folly.

In several places it is a narrative of grave and tragic death. Mr. Morrison does not shy from a dire account. Yet his account reveals many people, both men and women, at their best when dealing with violence, hardship and tyranny.

A book about murder, a book about the ultimate and worst of crimes, not all planned out or completely odious, but still murderous. To read about these crimes is to realize that murder on the Miramichi is not new, and rarely ever justified. Early in our history, murders were committed along riverbanks, near the first taverns where immigrants gathered, along wood trails, or King's highways. The murders are sometimes incomprehensible, as murders will be, or done out of vengeance or greed. Murders could happen over anything from the stealing of a few coins, a sudden brawl, an insult or a jealous rage. But the main component of this book is the living human beings themselves, the vibrant and effervescent life of the flesh and blood people described herein.

Of course our sagacious and silent river plays a part in it all – it's grand breath, stoic tributaries, meandering brooks and streams are a very part of the legacy of this work.

This is, in good measure, due to the author's fine ability to allow us to see our ancestors in their daily routine, in their

troubles and with their own hopes and desires. We never see them as statistics out of tedious history but as people, in a human light, and therefore the murders become palpable testimonies of man's tragic nature.

The book deals with almost all known murders, from past to present day, and offers us a window without judgement. Yet the book does make a meaningful and compassionate decree for both kindness and compassion.

Mr. Morrison should be congratulated for he has given the reader, with meticulous detail, a mirror into both past and present life. It is a chronicle of human frailty, raw emotion, envy and rage, but it is also a wonderful human history, and a very empathetic record.

This book offers us, and maybe for the first time, a look at the flesh and blood human beings that shaped our land in all the small places and lonely tracts of the back woods we now know as home; and a look at those who in spite of it all, made our river great and show us finally to be a noble and caring people.

This book is one of the great works about the Miramichi because like all great works about our river it both challenges and transcends it.

Mr. Morrison could never have written this work without either love or understanding. In spite of the topic, the tragedy of murder, the assaults on the innocents, and the aged cries for justice, there is both great love and wisdom here.

## ACKNOWLEDGEMENTS

The process of researching and writing this book has been challenging yet extremely enjoyable, all the more so because of a number of people who helped me along the way, either directly or indirectly. I quickly discovered that much of the preliminary groundwork, such as local histories and family genealogies, had already been done by previous writers, researchers and historians. Therefore I am obliged to mention such people as Robert Cooney, William F. Ganong, Esther Clark Wright, William Gaynor, Louise Manny, A. W. Macdougall, Edith MacAllister, James Hannay, Doreen Menzies Arbuckle, D. F. Hoddinott, W. O. Raymond, Earl English, James Fraser, Lois Martin, Ben Donovan, C. J. Mersereau, W. S. MacNutt, Stuart Trueman, William Spray and especially Willis D. Hamilton and Daniel F. Johnson. Mr. Hamilton's *Dictionary of Miramichi Biography* was a crucial aid in fleshing out the large supporting cast of real-life doctors, attorneys, coroners, sheriffs, magistrates, jailers and the like. Mr. Johnson's *Vital Statistics from New Brunswick Newspapers* was invaluable in helping me to identify and track down many 19<sup>th</sup> century murders and crimes. On the topic of newspapers I must also acknowledge the anonymous journalists of old Miramichi titles such as the *Mercury*, the *Gleaner* and *Northumberland Schediasma*, the *Union Advocate*, the *Commercial World*, the *North Shore Leader*, the *Chatham Gazette*, the *Miramichi Press* and the *Northumberland News*. Oftentimes newspapers are the only surviving sources of documented public records, particularly of homicides and other crimes from bygone eras.

Senator David Adams Richards  
October 8<sup>th</sup> 2019  
Fredericton, New Brunswick

I am sincerely grateful to the staff of the Chatham Public Library, especially Director Jennifer Wilcox and Librarian Sonia Wormell, for patiently and endlessly carting microfilm reels back and forth for me while I spent countless hours scouring old newsprint. I am also indebted to Director Catherine Reid and the staff of the Newcastle Public Library for helping me to navigate through census records, death certificates, obituaries and other old documents within their extensive reference archives. A huge thanks to Tom McCaffrey, Manager of Government Records at the Provincial Archives of New Brunswick, for his correspondence and for tracking down trial transcripts, court records and other legal documents that I requested from the

Court of Queen's Bench and the New Brunswick Court of Appeal. I wish to acknowledge Caroline Daley for allowing me to search through the archives of the St. Michael's Parish Museum, and Geraldine Tweedie, who translated some French language articles for me. I am also thankful to Shannon McLeod, the former Editor of the *Miramichi Leader/Weekend*, for granting me access to the *Leader*'s archives. While on the subject of the *Miramichi Leader* I should also mention Bonnie Sweeney, a very thorough reporter who provided coverage of the Miramichi police and courtroom beats for twenty-five plus years. Her articles were vastly helpful.

A handful of books on specific murder cases were also extremely insightful, including *Terror's End* by Rick MacLean, André Venoit and Shaun Waters; *Todd Matchett: Confessions of a Young Criminal* by Raymond Fraser; *The Miramichi Axe Murder* by Sandra Mitchell; *When Justice Fails* by Bonnie Clark Douglass; and *Death Dealer* by Kate Flora. Many other books have been an asset and have been credited within the text. A number of historical Canadian True Crime writers have greatly inspired and influenced this work, providing a comparative template for this volume with their own superb collections – Frank W. Anderson, Edward Butts, Dorothy Dearborn, Jack Fitzgerald, B. J. Grant, Max Haines, Dean Jobb, Frank Jones, Clyde F. MacDonald, Peter McGahan, Barbara Smith and David Ricardo Williams.

I would be remiss if I failed to mention the following resources for reference: the Provincial Archives of New Brunswick; the University of New Brunswick Harriet Irving Library Archives and Special Collections; the New Brunswick Museum Archives; the New Brunswick Historical Society; the Miramichi Historical Society; the National Library and Archives; the Canadian Legal Information Institute; the ProQuest Canadian Newstream; the Canadian Reference Centre; the Bowling Green State University Online Newspaper Directory and Ancestry.ca.

A handful of people helped me in various ways, whether by assisting me to track down specific books or articles or making me aware of old homicide cases I hadn't already sourced, so I offer my sincerest gratitude to Charlie Asoyuf, John Bethell, Reggie Bowes, Blake Cain, James Cavanaugh, Frances Connell, David Froy, Lloyd "Catfish" Ginnish, Florence Gray, Clarence

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## INTRODUCTION

*A distinguished English historian once said that if he wished to study the social conditions prevailing in a given country at a given time, he would begin with the murder trials.*

*The woods had their mysteries... [There was] scarcely a bridge over any respectable stream but had its tale of murder or sudden death – always with an accompanying ghost or two.*

W. Stewart Wallace  
*Murders and Mysteries*  
(The MacMillan Company, 1931)

*It's not that they have more murders in the Miramichi than anywhere else in New Brunswick, they just have more interesting ones.*

Dorothy Dearborn  
*Saturday Night*  
(Vol. 114, Issue #5, June 1999)

*Murder cases began arriving at our door at a rate that was disturbing to us all...we seemed beset by murder. In fact, in 1990, for a time, our per capita murder rate exceeded that of the city of Detroit.*

Fred Ferguson  
Former Crown Prosecutor  
Judicial District of Miramichi  
(From a speech dated June 2, 2002)

William C. Gaynor  
*Memories of the Miramichi*

The mighty Miramichi River begins deep within the forested heartland of New Brunswick and flows seaward, one hundred and fifty miles through dark mystic woods and valleys and golden windswept meadows to the rugged Acadian coast. First inhabited centuries ago by the predecessors of today's Mi'kmaq people, the Miramichi is a region rich in culture, steeped in tradition and imbued with the bloodshed of bygone years. The origin and the meaning of the name "Miramichi" has long been a source of dispute and conjecture. According to William Francis Ganong, a noted scientist who explored and studied the Miramichi area in depth more than a century ago, the name supposedly meant "the place with the bad people" and was assigned by Natives of the Gaspé Peninsula. The name refers not only to the region and the river but also to the "City of Miramichi," which was established in 1995 through the amalgamation of the towns of Newcastle and Chatham and a number of surrounding villages. When someone claims to hail from "the Miramichi," they might be referring to the city, or to any of the dozens of smaller communities that lie along its banks or elsewhere in Northumberland County, almost all of which is within the drainage system of the Miramichi River and its many tributaries, or Miramichi Bay at the river's mouth.

The Miramichi region has long been known for its violence and conflict, much of which stemmed from rampant alcoholism.

An early example is seen in the notorious "Fighting Election of 1843," during which rival factions brawled and rioted in the streets and an innocent man was killed. Although it is also known for its personable residents, warm hospitality, beautiful scenery, and world-class salmon angling, there is no denying that it has been cursed with an inordinate number of murders and other violent crimes from the first days of settlement up to the modern era. Two of the oldest and most infamous of Miramichi legends, in fact, are based on historical murders – "the Headless Nun of French Fort Cove" and "the Dungarvon Whooper."

In the early 1990s, Miramichi became “the murder capital of Canada,” with a higher per-capita murder rate than that of Detroit (consistently ranked the most crime-ridden city in the United States). Between 1986 and 1992, there were no fewer than eighteen murders and seven attempted murders within a ten-mile radius of the city of Miramichi. This is a staggering statistic considering that the area had a population of only 18,000, so that over a 6-year period, one in every 1,000 persons was targeted for murder. It is hardly surprising that the place began being referred to as “Murdermichi.”

This book deals with murders in Miramichi City and its surroundings, from Northumberland County’s first murder trial in 1798 up until a vicious drug-related homicide in 2016, and most every case in between. Within these pages, the reader will also find accounts of attempted murders, strange and suspicious deaths, unsolved cold cases, missing person cases, and other crimes and tragedies, all of which occurred within the boundaries of Northumberland County and the small part of the Upper Miramichi district that lies within neighboring York County. Tragic though they were, these homicides and other crimes are an important part of our social history and thus deserve to be documented and remembered.

The book also includes several legends, ghost stories, folk tales, and true stories of conflagrations and other noteworthy events of a violent or tragic kind.

Because of all the murders, the Miramichi region has had numerous high-profile murder trials, such as the “Great Bumble Bee Case” of 1963, during which the microscopic appendage of an insect served to place a killer at the scene of the crime; the trial of the “Fighting Fisherman,” Yvon Durelle, who had come within a hair of beating World Boxing Champion Archie “Mongoose” Moore, and then successfully beat a murder rap; the landmark trial of serial killer Allan Legere, the first in Canadian legal history in which DNA fingerprinting was used to secure a murder conviction; the pathetic 1995 John Ryan Turner case, about an infant who died of parental neglect; the 1998 murder trial of Noah Augustine, one of the most influential and vocal young Native leaders of that period; and the tragic rape and murder of Hillary Bonnell at the hands of her cousin, this being the latest Miramichi criminal trial to be in the national spotlight.

This book also features two cases of 19<sup>th</sup> century killers being executed publicly at the Town Square in Newcastle, which was then the shiretown of the county; the brutal 1914 axe murder of two young boys at nearby Maple Glen; the strange story of a home invader and his would-be victim simultaneously killing each other; the shooting of a teacher in front of her kindergarten class by an obsessed stalker; the disturbing tale of a pack of wild dogs fighting over the dismembered body of an alleged murder victim; the bizarre account of an innocent citizen discovering a human head on his doorstep one morning; the tales of two Miramichi men, who after serving their sentences for murder, killed again within a year of being paroled; the harrowing story of a young Aboriginal man being thrown off of a rural bridge to his death and the seeming “slap-on-the-wrist” received by the guilty parties; many unsolved murders, including those of Percy Doak, Beatrice Redmond and Poncho Henderson; a number of strange disappearances, including those of Arthur Underhill, Margaret Burke, Herbie Crocker and Fred Scott, to name but a few – and yet more dark secrets from Miramichi’s checkered past.

Altogether, there are 126 tales here of Miramichi murders, mysteries and mayhem – madness, malice and mischief – “from the headwaters of the Miramichi to the farewell buoy” (as a famous Miramichi sports commentator, the late “Hoppy” Dunn, used to say at the beginning and end of his broadcasts). Most of the information in the stories has been sourced from the public record, and for the most part, the tales have been presented in chronological order.

## EARLY LEGENDS OF BLOODSHED

*Our land seems to have been a violent, lawless country from early days.*

Louise Manny  
*Songs of Miramichi*

Northumberland County, which is more or less co-extensive today with “the Miramichi,” was incorporated in 1784, shortly after New Brunswick was separated from the colony of Nova Scotia. The first Anglo-Saxon settler to arrive in the area was a

Scottish entrepreneur named William Davidson. In 1765, he and a minor partner, John Cort, were granted a 100,000-acre tract of land that extended from the westerly end of what was later the town of Newcastle many miles up both the Northwest and Southwest branches of the river. Davidson is often referred to as the Miramichi's "founder," but the area was inhabited for centuries before his arrival. The Mi'kmaq people had been traversing the woods and waterways of the Miramichi River Valley from time immemorial, harvesting fish and game, and maintaining encampments – their site at Red Bank (*Metepenagjag*), at least, having been in use for more than 3,000 years.

French explorers arrived in the mid-1600s and quickly set about establishing settlements and trading posts. For more than a century before the British appeared on the scene, the French Acadian settlers and the Aboriginals enjoyed a relatively harmonious co-existence, cemented in place by the Natives' conversion to Christianity by French missionaries.

Miramichi's oldest legend of bloodshed dates from the mid-1600s. According to Native tradition, the Mi'kmaq were engaged in a series of fierce territorial battles with the Mohawk, the most aggressive tribe within the Iroquois confederacy. Historically known as "the Kwetekj Wars," the dispute supposedly came to a climax around 1650 when the bravest fighter from each of the two warring factions engaged in combat with their tomahawks.

Representing the Mi'kmaq was *Mejilapeka'tasiek* (Tied-In-A-Hard-Knot), while *Wohooweh* fought on behalf of the Mohawk. Each of these men was regarded as a *Puoin*, or War-Shaman. Early Mi'kmaq chronicler and linguist Silas T. Rand writes:

I cannot learn how long the Mohawk war lasted. I have already obtained several of the intervening incidents. The winding up of the war...was related to me today by my friend Louis Benjamin Brooks (grandson of Chief Louis-Benjamin Peminuit Paul), September 3<sup>rd</sup>, 1869.

Various sources indicate that the two warriors fought long and hard, to the point of exhaustion. Finally, *Mejilapeka'tasiek* grabbed *Wohooweh* in a "scalp lock," dragged him to a big stone and crushed his opponent's skull. A Mohawk war captain

then called a halt and declared: "It is enough. This was *Wohooweh's* fight. It was his business. Not ours. Let us quit, and make peace."

Tradition states that *Mejilapeka'tasiek* died the following morning, a result of the wounds sustained at the hand of his opponent. Nonetheless the Mi'kmaq was victorious.

Rand continues:

"Tabusintak" (Tabusintac) is the place pointed out on the map by Ben Brooks as the identical spot (where "Mejilapeka'tasiek" killed "Wohooweh"). He has been there, and seen the rock on which tradition says the "Kwedech's" head was smashed; it lies about in the center of the sand-bar that stretches along in front of the mouth of the river, outside of the lagoon...the stone...is of a singular form – hollow on the top, like a dish; and from this stone, and the circumstance related, the place has ever since borne the name "Batkwedaganuchk," which no one English word can easily translate. It indicates very poetically that on this rock a fellow's head was split; an *arvil* comes nearest to it. My informant has not seen the rock since he was a small boy; but the form, and the associations connected with it are indelibly fixed upon his memory.<sup>1</sup>

Tabusintac is a small community about 35 miles northeast of Miramichi City, at the mouth of Miramichi Bay. The sandbar and the lagoon referenced above are still readily visible there.

During the Seven Years War in the 1750s, the British and French vied for control of the vast new land that would later become Canada. The conflict culminated with the Battle of the Plains of Abraham in 1759, when British forces under the command of General James Wolfe defeated those of the French commander, Louis-Joseph de Montcalm – both commanders being mortally wounded in battle. With the signing of the *Treaty of Paris* in 1763, France officially ceded control of most of her North American colonies to the British. French Acadians living in what are now the Atlantic Provinces who refused to swear allegiance to the Crown of England were deported or forced into hiding. During this period relations between the Aboriginals and the new British administration were anything but friendly, most of the Mi'kmaq people being allied with the French.

The Miramichi was the location of a few Acadian strongholds during the last few years of the war, but by the time William Davidson and his partner John Cort arrived to take possession of their large grant in 1765, the Acadian settlements had been deserted, and many former dwellings were no longer standing. William Davidson, who held exclusive fishing and timber rights, soon became involved in the fishing, forestry and ship-building industries. At his disposal was a vast virgin woodland containing possibly the best white pine stands in the British Empire, at a time when these were in high demand for ships' masts. The forests also provided an abundance of spruce, fir, tamarack and other timber of importance to the shipbuilding industry.

Davidson brought settlers to his grant from both Great Britain and New England, and these settlers were followed, in the 1780s, by Loyalist refugees who found themselves on the losing side in the American Revolution. The Loyalists were soon joined by Scottish and other immigrants, and the Miramichi area began to be transformed into the unique corner of the province that it is today.

There is a traditional tale of murder on the Miramichi towards the end of the Seven Years' War. After the fall of Louisbourg in 1758, French commander Charles Deschamps de Boishébert led a large body of Acadian refugees to the Miramichi, where they set up camp and fortifications on the island where the two main branches of the river converge: Beaubear's Island. Gun batteries were placed on the eastern end of the island, facing downriver, and an additional sixteen cannons were mounted on the high bank west of a large cove, on the north side of the river: French Fort Cove. During a particularly harsh winter, however, after two relief ships had been intercepted by the British, more than 800 of the refugees are thought to have perished.

Boishébert and most of his surviving followers left that spring for Quebec, but a small contingent stayed behind, settling on the island, at the fortified cove, and further downriver near present-day Neguac. According to an apocryphal story narrated by early New Brunswick historian Robert Cooney, in 1759 a

British vessel carrying the remains of General James Wolfe back to England was waylaid by a storm and forced to seek refuge in Miramichi Bay. Tradition tells that six sailors sent ashore in two small scows for fresh water were ambushed by a party of Natives and French soldiers. According to Cooney: "The poor fellows were dragged into the woods and there inhumanly murdered."<sup>2</sup>

Cooney says that after the sailors failed to return to the ship, the captain sent a pilot to conduct reconnaissance. Discovered covering the horrific fate that befell the sailors, he reportedly retaliated by destroying the canon batteries, both at the cove and on the island, killing and maiming a number of French Acadians. On the way out of Miramichi Bay, the captain also fired upon a small settlement, razing an old stone church; thus Burnt Church.

However, around the turn of the 20<sup>th</sup> century, when William F. Ganong attempted to verify these claims, he discovered documents in the Public Record Office in London that revealed that Col. James Murray had been sent to the Miramichi in 1758 by General James Wolfe with orders to destroy French settlements, and that Wolfe's remains were not transported back to England until 1759 – in the *Royal William*, a Man-of-War that was not adapted to navigating the Miramichi River. Ganong writes:

Traditions...are rarely manufactured altogether, but generally have some nucleus in fact. I believe that Cooney has recorded a tradition which had really linked together two separate events... [I]n the year 1690 two English privateers... pillaged and destroyed the establishment which Richard Denys de Fronsac had... maintained near Beaubear's Island... [I]t would seem probable that a half dozen men from one of these privateers were ambushed and killed by Indians and French at some stream... perhaps the Bartibog... [T]radition confused this event with Murray's expedition, finally uniting them into one incident.<sup>3</sup>

The region became embroiled in conflict and turmoil again following the arrival of Davidson and his settlers. Embittered by their encroachments, and unaccustomed to the Europeans' ways, the Native people resented the new arrivals. They were

also encouraged to antagonize the British authorities by visiting American rebels and privateers. By 1775, Native raiding parties were burning down barns, stealing cattle and plundering stores and supplies. Because of the violence, Davidson vacated his grant, taking twenty families with him to Maugerville. Only three of the families that were settled on his grant were enjoying sufficiently good relations with their Native neighbors to opt to remain behind.

Cooney stated that in the month of July, 1779, a large number of Natives congregated at Moody's Point, near Bartibog Island, intending to drive the remainder of the English settlers from the region – these settlers being located downriver from the Davidson grant. In a brilliant ploy to thwart the plan, Captain Augustus Harvey, who was in command of the British warship *Viper*, entered Miramichi Bay with his sloop flying French flags. Another part of his ruse was to send a captured American longboat, the *Lafayette*, on ahead, in hope of luring Native leaders on board, where dozens of British soldiers lay in wait below deck. The ploy worked and Harvey was able to capture eighteen of the "ringleaders."

One of them, Pierre Martin, was supposedly endowed with near superhuman strength and a fierce warrior spirit. According to legend, he killed three or four British sailors with his bare hands while they were attempting to restrain him. Cooney says he finally "received his deathblow from one Robert Beck, an Irishman." Sally Armstrong dramatized this incident in her fictionalized account of the life of her ancestor Charlotte Taylor.<sup>4</sup> In his book on "scamps and scoundrels," Bob Kroll writes: "Some say Pierre Martin died that day... others say he swam to shore, was cured of his wounds and fought the British again and again in the years to come."<sup>5</sup>

The prisoners were taken to Quebec, and some were later transferred to Halifax. Only five or six were ever returned to the Miramichi, among them Natives named "Kives" and "Tax." Cooney stated that they were later responsible for the "authenticated murders of two men and a boy," somewhere upriver.<sup>6</sup>

"On July 20<sup>th</sup> 1779 a treaty of peace was concluded between Captain Augustus Harvey, of the *Viper*, and John Julian, who was then declared Chief of the Miramichi Indians."<sup>7</sup> During

Julian's lengthy tenure, reasonably peaceable relations prevailed between the Native population, on the one hand, and governmental authorities and non-Native settlers on the other.

### MIRAMICHI'S FIRST MURDER TRIAL

Duncan McDonald was the first man known to have been tried for murder in New Brunswick's Northumberland County and the first to be executed there.

During the late 18<sup>th</sup> century, the Bay du Vin area, some 16 miles east of the later town of Chatham, was settled by Loyalists from the New England states as well as immigrants from Scotland.

According to land memorials from the period, Duncan McDonald left his native Scotland in the spring of 1790 and arrived in the province on May 15<sup>th</sup> together with a man named Donald McDonald. It is not known if they were kin, but they both spent their first summer working in the salmon fishery, and on October 12<sup>th</sup> 1790, they jointly took possession of a lot on which they built a cabin 16 feet long and 14 feet wide.

Both McDonalds were favorably regarded by their neighbors and local authorities. In official correspondence dated February 1791, they are referred to as "young men of good character and likely to become useful inhabitants."

In those early days, legal and administrative matters were dealt with by county Courts of Quarter Sessions – the Northumberland County Sessions being held each three months in the shiretown of Newcastle. For court purposes, the local magistrates, or justices of the peace, who made up the court, would empanel a grand jury comprised of local freeholders of good standing and character. These juries heard complaints about legal infractions and determined if they warranted action by the Court of Sessions, or by a higher court in the case of more serious offenses.

The records of the Northumberland Sessions reveal that Duncan McDonald served as a grand juror on at least two occasions: September 1791 and March 1794. He was also appointed

as a parish constable for the year 1795 and as a commissioner and surveyor of roads for 1796. Despite the confidence in his character and abilities that these appointments implied, he and another Bay du Vin resident, Gregor McKinnon, had a suspicious connection to the murder of a man named Edward Bargain (or Bergen) in 1794.

On this account, the two men were brought before the Sessions on August 7<sup>th</sup> 1794, charged with the "concealment" of Bargain's murder and fined five shillings each. At the same sitting, Duncan McDonald was one of seven men charged with trespassing and causing a disturbance. Another of those charged was a Bay du Vin resident named Donald McVicar, a Loyalist who had come to the province from Massachusetts in 1786.

At some point during the winter of 1797-98, an altercation took place between Donald McVicar and his neighbor Duncan McDonald, both of whom had a history of disputatious relations with other neighbors as well. According to tradition, the day after the two clashed, McDonald staked out McVicar's cabin and shot him to death when he came through the door. He then laced up a pair of snowshoes and fled into the woods.

Upon discovering McVicar's body, a group of local men organized a posse to pursue his killer. It was Benjamin Styminest and James Horton who found him that night, camped by a fire. A shoot-out ensued, during which Horton was killed and Styminest wounded in the face, enabling the fugitive to escape. Two days later, however, other pursuers caught up with him at Pointe-Sapin, some 16 miles cross-country from Bay du Vin, where he had taken sanctuary in the home of an Acadian family.

McDonald was apprehended and taken to the county jail in Newcastle, which was then only a log cabin on, or in the vicinity of present-day Jail Street. His arraignment on Friday, May 20<sup>th</sup>, at what was the first session of the Supreme Court of New Brunswick to be held in the county, was presided over by Judge John Saunders. The prosecutor was John Murray Bliss. Those accused of felonies were not entitled to defence counsel at that time, but this proved to be of no consequence when McDonald pleaded guilty to murdering both Donald McVicar and James Horton. After hearing testimony from witnesses Angus McDonald, Samuel Horton, Thomas Gunn, Benjamin Styminest and Gregor McKinnon, Judge Saunders donned the traditional black cap,

historically worn by judges when passing sentence of death, and asked McDonald if he had anything to say before judgment was rendered. After the accused declined to speak, Saunders sentenced him to be "taken to the place from whence he came, from thence to the place of public execution and there be hanged by the neck until he be dead." A temporary gallows was built in the vicinity of the jail and a public execution carried out.<sup>19</sup>

#### HANGINGS IN THE TOWN SQUARE

Many of New Brunswick's earliest murders, trials and executions have been well-documented by such writers as B. J. Grant, Dorothy Dearborn, Debra Komar, Alison Finnimore, Peter McGahan, Kenneth Saunders and Steve Vernon. Conspicuously absent from most of the literature, however, are any references to early Northumberland County crime and punishment. One reason may be that there was no newspaper in Miramichi until 1826, when the *Mercury* was established at Chatham by James A. Pierce. Another is undoubtedly that judicial records filed in the original county courthouse in Newcastle were destroyed in the Miramichi Fire of 1825.

Most published references to the Duncan McDonald case would seem to derive from the accounts given by Robert Cooney and A. W. Macdougall,<sup>10</sup> both of which are based on tradition alone. There are tidbits of contextual information in letters, memorials, land records, and court documents in the Provincial Archives and the reference archival collection of the Newcastle Public Library, but gaps and questions remain.

There was at least one other hanging in Northumberland County in the early years of the 19<sup>th</sup> century, but even less is known about it than about the McDonald case. The following notice was published in the *Royal Gazette* of September 7<sup>th</sup>, 1819:

On Friday last, His Honor Judge Saunders returned from the Northumberland Circuit, at which three criminals were convicted; John Brown, for the murder of James Smith, received sentence of death...the execution of John Brown, will, we understand, take place on the 21<sup>st</sup> instant.<sup>11</sup>

In a lengthy letter dated October 7<sup>th</sup> 1819 and also published in the *Royal Gazette*, Rev. Archibald McQueen, Presbyterian clergyman at Miramichi, confirmed that the execution had taken place. McQueen, who served as 54-year-old Brown's spiritual advisor during his incarceration, claimed that the condemned man struggled over his fate but ultimately came to terms with the sentence he had been handed. He mentioned that during the hangman's first attempt to discharge his duty, the rope broke, causing Brown to have to ascend the gallows a second time. No trap door was used in this period. The person who was to die was just hoisted up on the rope and left to strangle to death.

On the same 1819 docket as the Brown case, was the case of a man named James Gray. Charged with killing his wife, he was convicted of manslaughter, fined £50, and sentenced to two years imprisonment.

It seems strange that there would have been so few public executions on the Miramichi considering the number carried out in cities such as Saint John and Halifax. Under British law in that period (the "Bloody Code") there were upwards of 200 offenses that were punishable by death, ranging from murder and rape to petty theft.

Execution records were not methodically maintained in the years prior to Confederation, so it is impossible to calculate an exact number of executions within the province, but there were upwards of fifty before 1867. Under the federal authority, record keeping was meticulous. There were precisely 710 executions carried out in Canada between 1867 and the country's last hanging in 1962. Twenty-five of these took place in New Brunswick, but not one in Northumberland County. An equal number of New Brunswickers who received a death sentence during these years managed to escape the hangman's noose, either by having the sentence commuted to life in prison or by winning a second trial, at which they were often acquitted or convicted of the lesser offence of manslaughter. Of these cases, only one involved a Miramichi person: Joe Mercure, whose story appears later in this volume ("The Bumble Bee Case"). Pierre Trudeau's Liberal government officially abolished capital punishment in 1976, and in 1998 the death penalty was eliminated from the Canadian criminal code.

There is a place about two miles beyond Napan, on the highway that leads from Chatham to Moncton, which has long been known as "Gallows Hill." The legend of this spot and its "Hanging Tree" has been noted in more than a few publications, and there still is a "Gallows Brook" that flows into the Napan River at this location. In his book on the geographical names of New Brunswick, Alan Rayburn lists the brook and states that "Criminals were executed nearby at Gallows Hill."<sup>12</sup> Contrary to popular belief, however, there were no recorded executions at this site. "Gallows Hill" received its name in the mid-1800s after one or more suicides occurred there.

A rumored but undocumented suicide at "Gallows Hill" was that of a hobo who was said to have hanged himself with his braces. And there was an account in the *Saint John Morning News* of November 5<sup>th</sup> 1862 of the body of an engineer named Thomas Crosbie, who had gone missing in mid-October, being "found near the old Napan Road hanging from a tree."<sup>13</sup>

An article in the *Union Advocate* of November 10<sup>th</sup> 1886 recounts a legend of two men having been hanged, long ago, from two large pine trees on the "old Feddus property" in the westerly end of the town of Newcastle. The article also tells of supernatural claims associated with the property, but the author's ignorance of historical facts and failure to find evidence that hangings actually occurred there robs it of credibility.<sup>14</sup>

Another legend hinting at a possible execution in Newcastle is referenced in a 1908 letter which Horatio Lee wrote to William F. Ganong. In it he states that an Indian named "Battlemann" [sic] was killed by another Indian who was taken upriver to Newcastle and "brought to justice."<sup>15</sup> A homicide, of which the perpetrator was Aboriginal, is also referenced in the unpublished MA thesis of William A. Spray.<sup>15</sup> According to local Native tradition, a man from Burnt Church was allegedly hanged years ago in Newcastle. This story was apparently related many times by Native elders in the winter hunting camps throughout the years.

Finally, an article from the October 13<sup>th</sup> 1943 issue of the *Fredericton Daily Gleaner* points to another alleged execution. According to a second-hand account the author had been given in 1901, a peddler who used to travel from one lumber camp to

the next, was robbed and murdered on a lonely tote-road in the vicinity of the Dungarvon River. The murderer was supposedly apprehended, tried and executed in January of 1852. Such a murder could have occurred, but an execution almost certainly did not. By the 1850s, any of the few executions that took place were being widely reported in newspapers throughout the province.

### MARITIME LAW

During the early years of Miramichi's colonization, and throughout the 19<sup>th</sup> century, the area was a bustling international port, the river filled with ships of every shape and size. Men who made their living sailing the seven seas were expected to adhere to what was known as *Maritime Law*, which dictated that the captain was the only lawful authority on board any ship. Insubordination was not tolerated, and stern discipline was frequently meted out. Offenses such as piracy, mutiny or desertion were dealt with swiftly and sternly, normally with offenders being tarred and gibbeted from the yardarm on deck. The sight of these hanging corpses served as a harrowing deterrent for potential offenders. The tar was used to slow down decomposition and to prevent seagulls and other sea-faring birds from picking at the remains of the deceased. In other cases, the guilty party would merely be unceremoniously tossed overboard. Sailors were also known to be shot on sight for desertion.

In May of 1826, the shooting death of a sailor named William Jones, in a case of mistaken identity, exemplifies the stringent recourse of *Maritime Law*. The *Alexander*, a brigantine from Liverpool, had just arrived in Miramichi and was lying in port in Chatham. Jones, along with five other sailors, deserted the brig with plans to make it to the city of Saint John. Meanwhile, another ship lying in port at the time, the *Sappho*, had also lost seven of her crew members to desertion. The local constabulary was dispatched to apprehend the latter group and return them to their vessel. Desertion was considered to be a serious offense under *Maritime Law*. There are numerous reported cases of sailors being shot on sight for the crime of being AWOL (absent without leave).

For whatever reason, the sailors from the *Alexander* were not being sought by their captain. Perhaps they had made arrangements to take their leave, or replacements may have been hired at the docks. The constables caught up with Jones and his five comrades, and mistaking them for the group of *Sappho* deserters, ordered them to return to duty aboard their ship. The six sailors, who were quite likely drunk and rowdy, refused the constable's orders and a scuffle ensued. Amidst the confusion and excitement, nobody made the connection and identified the mistake, and William Jones was shot and killed by Constable Adam Kerr. An inquest was conducted in Chatham by coroner J. M. Johnson, and Jones' death was ruled accidental, with Constable Kerr being exonerated of any wrong-doing.

### THE MURDER EPIDEMIC OF 1827

*The Miramichi has always had a reputation for being a wild, reckless and rough area.*

William A. Spray

"The Irish in Miramichi"

The 1820s were tumultuous times on the Miramichi River. A drastic decrease in lumber prices had resulted in widespread unemployment at the same time as a surge in immigration, especially of impoverished Irish, was expanding the population at a worrisome rate. When roaming mobs of idle young men responded to the situation by looting, pillaging, and rioting, a detachment of the 74<sup>th</sup> Regiment was deployed to the Miramichi from Fredericton to restore order and keep the peace. The troops arrived in 1822.

On the morning of October 7<sup>th</sup> 1825, after an extremely hot and dry summer, a savage fire roared across the northeastern portion of the province, almost all of which was then within the bounds of Northumberland County. Still considered one of the worst natural disasters in North American history, the fire wiped out homes, farms, woodlots, and businesses, including most of the nascent shipbuilding industry. About 200 people perished, either from the flames, smoke inhalation, or by drowning in the river, where many were forced to take refuge.

The “demon drink” has often been cited as the main catalyst for the homicides and other violent crimes that besmirch the history of the Miramichi area. Many of the stories contained in this volume illustrate the central role that liquor often played. There were those who believed that the 1825 fire was a manifestation of God’s wrath over the drunkenness and otherwise sinful behavior of so many of the residents of the place. An old wives’ tale in the village of Douglastown tells of the devil stomping through the woods, unleashing the flames. There is a boulder, half-buried along the edge of a farmer’s field in nearby Moorefield that supposedly has the devil’s “hoof-print” embedded in it. Here is a short passage from a 1912 letter written by James H. Currie, of Moorefield, to the Chatham physician and local historian, Dr. James Baxter about the local effects of the fire:

It burned all Moorefield... [My] father got into a canoe on the Chatham side of the river, the morning after the fire, and came across, to this side and went out to the backlots... [He] found a man and a woman, Kilpatrick by name, on the side of the road, dead, where there is now a fence around their graves on the road out to George Creighton’s. Beside them lay a leaf of the Bible, and he brought that home with him and gave it to Reverend James Thompson, and he preached from it the next Sunday, ‘The Lord hath kindled a fire against his people’.<sup>16</sup>

The account claims that the deceased couple and the page from the Bible were found on the road to Creighton’s. Interestingly, the large rock containing the “devil’s hoofprint” can still be seen on this road, or “cowpath” through the woods, near the old Kilpatrick (Kirkpatrick) gravesite, alongside what has long been known as “Creighton’s field.”<sup>17</sup>

The suffering and devastation caused by the Great Fire must have had profound psychological effects on the survivors. To what extent it may have contributed to the wave of violence that followed is open to speculation. In any event, the *Miramichi Mercury* of May 23<sup>rd</sup> 1827 carried the following terse report:

It is a melancholy fact that there are no less than six persons in our county gaol who are to take their trial for murder at the next circuit court.

So many serious offenders in jail was concerning to the county’s magistrates, because the fire had destroyed the jail-house, and the five were being detained in a makeshift one that was not necessarily secure. They included a man and wife sur-named Kinney, of Escuminac Point, accused of robbing and murdering a peddler of jewelry and trinkets; a man named Jacks accused of a murder at Cocagne (then within Northumberland County); and a woman charged with infanticide.<sup>18</sup>

The most publicized of the 1827 killings was that of 20-year-old James Mansworth (or Mansworthy) who was beaten to death in Newcastle in April of that year. A single man, he had come to the Miramichi two years previously from Queens (Laois) County, Ireland.

On Saturday, April 21<sup>st</sup>, Mansworth was on a road crew in Newcastle with John Dalton and William McDonald. It was said that the three of them had been drinking quite heavily on the job that day, a frequent practice at the time, and that young Mansworth had become highly intoxicated. Sometime between 8:00 and 9:00 pm, Dalton and McDonald took him to the home of John Brown, where he had lodgings. They left, possibly to get more to drink, and he became quarrelsome and belligerent, allegedly assaulting and abusing McDonald’s wife, who was waiting there for her husband to return. He was also said to have thrown a rock through a window, injuring Brown’s wife and that Brown had thrown him out into the street.

His two workmates soon returned, and when they discovered that Mrs. McDonald had been accosted, they were hell-bent on getting revenge. Mansworth had gone to the home of a neighbor named McMahon and gotten a bed for the night, but McDonald, Dalton, and Brown showed up and demanded that he be brought outside. McMahon said he wasn’t there, but Mansworth overheard the exchange and stormed out to confront his pursuers. A witness claimed that as soon as he exited he was knocked to the ground by a blow from a club wielded by McDonald and that all three men then proceeded to beat him mercilessly.

Mansworth was, in fact, beaten to death. Magistrate James Abbott was notified and his three assailants were arrested and locked up. The next afternoon an inquest was held by coroner

James Wright. Dr. Alexander Key determined that the cause of death was a fractured skull. The men were all charged with murder and committed to stand trial at the upcoming circuit of the Supreme Court.

In due course, Kinney and his wife, who were accused of murdering the Escuminac peddler, were acquitted due to insufficient proof of guilt. Likewise Jacks, the accused murderer from Cocagne, was found not guilty. For their roles in the death of James Mansworth, John Brown, a father of two; John Dalton, a father of eight; and William McDonald, a father of five, were all found guilty of manslaughter and sentenced to six months imprisonment.

### INFANTICIDE IN THE 1800s

Infanticide is defined as the crime of murdering a child under twelve months of age. Statistics show that it is usually committed by the infant's mother. It was quite common in the 19<sup>th</sup> century, particularly in cases of childbirth outside of wedlock. A New Brunswick Public Legal Information Services publication explains the problem and a law introduced to address it in 1810:

Harsh social and economic conditions put so many women in a position where they killed their illegitimate children that 'murder of bastard children' was regarded as distinct from the general crime of murder. In 1810 the New Brunswick Assembly passed an *Act for the Prevention and Punishment of the Offenses of Destroying and Murdering Bastard Children and the Malicious Using of Means to Procure the Miscarriage of Women*. It provided that:

- Trials of women charged with murder of their bastard children were to be similar to other trials for murder.
- Should a jury acquit on such a charge, an alternative conviction of concealing the birth of a child which, if born alive, would have been a bastard, could be found, the penalty for which was imprisonment not exceeding two years.
- Administering poison or other noxious or destructive substance to a woman quick with child with intent to murder

such woman or procure her miscarriage was punishable by death.<sup>19</sup>

In a record of Northumberland County Inquests and Inquisitions is the following list of accounts forwarded to the county for payment, dated February 2<sup>nd</sup> 1825, from coroner Farquhar McRae:

September 19<sup>th</sup> 1824

1. Fees for an inquest on the body of an infant female child, said to be murdered by the mother, thus requiring a journey to Newcastle.
2. Holding the mother prisoner in charge for three weeks and bringing her up to Newcastle and committing her.
3. Necessary duties and expenses during the sessions.

Total Fees claimed - £20.

This was the first instance discovered of infanticide on the Miramichi. Although the mother's name is not revealed, the date of her committal suggests that she could have been the black woman charged with infanticide who died in the county jail in the Miramichi Fire. Tradition tells of her escaping or being released into the streets of Newcastle, but seeing the destruction all around, she returned to the jail for safety. Unfortunately, the stone walls of the jail conducted heat like an oven.

Another case of infanticide was reported in the March 6<sup>th</sup> 1827 issue of the *Mercury*. Evidence suggests that the unnamed mother concealed her child's birth and disposed of the body in a snowbank. The facts came to light during a March thaw, when a neighbor saw some dogs scratching at the snow, at what she initially thought was a scrap of meat. After an inquest was held, the mother was indicted for the crime of concealment. At the next sitting of the circuit court, in July 1827, she was sentenced to three months imprisonment.

On January 7<sup>th</sup> 1830, in Ludlow parish, a woman named Ann Stewart murdered her newborn son by fracturing his skull. She had been separated from her husband for a number of years and was evidently attempting to avoid a scandal. At a coroner's inquest, her sister testified that she discovered the infant's body hidden under a bed, wrapped in a petticoat. Ann Stewart was

brought to trial on September 27<sup>th</sup> 1830 and was found not guilty of murder.

Infanticide was sometimes committed by servant girls, whose livelihoods depended on good character references. At the time, a domestic servant who was impregnated by the man of the house would be seen as an immoral home-wrecker, regardless of the circumstances. So she would be under a great deal of pressure to conceal the birth.

Infanticide by a servant girl is seen in the case of Eliza Allison, who was employed by the Andrew Mitchell family in North Esk parish. On March 1<sup>st</sup> 1878, she gave birth to an illegitimate child which she subsequently killed. After the infant's body was discovered hidden in the cellar of the home, an inquest was conducted by coroner Dr. William Pallen Bishop, and the young servant was found responsible for the child's death. The infant's father was never publicly identified.

Another infant homicide by a domestic servant occurred at the home of George B. Fraser in Chatham on February 13<sup>th</sup> 1896. When Dr. John S. Benson was summoned, the mother, Mary Dwyer, at first denied that she had given birth, but the infant's body was found hidden under a pillow, its throat having been stabbed with a pair of scissors. Dr. Benson referred the matter to his brother, lawyer and coroner Michael S. Benson. An inquest was held at which Mary Dwyer was found to have been responsible for the death. As with the previous case, the baby's father was not named in the press.

The sad story of Mary Ann McDonald, who died in childbirth in the summer of 1884, illustrates the trap in which single mothers were caught in that period. McDonald was a seamstress, nearly 40 years old, who lived in an apartment in the home of J. W. Townley in Chatham. She was found dead there on August 25<sup>th</sup> 1884 by her landlord and a concerned friend, Kate Perley, who had not seen or heard from her in two weeks. At an inquest conducted by Dr. John McCurdy it was determined that she had died "in the act of giving birth to a child, not having the necessary medical attention." It was later found that the position of the fetus was such that she could not have given birth without assistance, but shame had kept her from seeking it. She had kept her pregnancy a secret, but she left a letter behind, identifying a

man named John Williams as the father. The letter made it painfully clear that she had endured incredible suffering during the last several days of her life.

### NEFARIOUS NIGHTS IN NELSON

The community of Nelson, located on the south side of the Miramichi River, directly opposite Newcastle (all now within the city of Miramichi) witnessed a considerable number of homicides in the 19<sup>th</sup> century, one of which was the murder of Thomas Burns.<sup>20</sup>

Like most other Miramichi men of his time, Burns worked in the lumber woods, where it was said that he was a crew boss. Between hitches in the woods, he went on drunken sprees and gained a reputation for having a nasty disposition when under the influence.

During the late afternoon of Sunday, August 31<sup>st</sup> 1829, Burns was at Egan's Tavern in Nelson, getting inebriated and becoming boisterous and troublesome. Always spoiling for a fight, he stepped outside and began antagonizing a group of men who were standing around talking. When one of them, named Edward Fingleton, a 20-year-old shipwright recently arrived from Ireland, had had enough, he delivered Burns a winding roundhouse to the jaw, sending him sprawling to the ground.

A bystander named Charles Clark, who owned a small sawmill across the road, attempted to defuse the situation and helped Burns to his feet, but once Burns got his bearings, he resumed the taunting. Then Michael Ryan, who was known as a fierce fighter, beat him unconscious, much to the merriment of the gathering crowd. Several men then carried him across the road and laid him down on a log in Charles Clark's sawpit to "sleep it off."

The next afternoon, Burns, once again in his cups, was strolling down the road with a man named James Gorman when they encountered Michael Ryan, the previous evening's champion. Amazingly, Burns wanted to have another round with him, and Ryan, just as amazingly, accepted the challenge. The

rematch ended with Burns again rendered unconscious. This time he was taken to the home of a man named Smith to recuperate, but later that night he died from a brain hemorrhage.

Coroner James Wright concluded that Burns had suffered a severe contusion, resulting from blows to the left temple. Edward Fingleton, the first to pummel him in the initial fight, was arrested and charged with murder, and Michael Ryan, who could not be found at first, later turned himself in. A coroner's inquest determined that Burns had been murdered. Both Fingleton and Ryan were charged and committed to stand trial.

The next circuit of the Supreme Court at Newcastle was on October 7<sup>th</sup> 1829, at which time the murder trial got underway. The prosecution was conducted by A. K. S. Wetmore, and the defendants were represented by William End. During questioning and cross-examination, witness after witness asserted that the accused had only tangled with the deceased after considerable provocation. After a short deliberation, the jury found Fingleton not guilty and Ryan guilty of manslaughter with a recommendation for mercy. He was sentenced to serve six months in jail and fined £5.

Public opinion blamed the violence and crime of this period on the large number of recent Irish immigrants and their fondness for the "demon drink." In the September 29<sup>th</sup> 1829 issue of the *Gleaner and Northumberland Schediwsma* (successor to the *Mercury*), the following editorial appeared, unquestionably from the hand of James A. Pierce, the editor and publisher:

We unfeignedly regret that our brief report of the criminal trials, should present so unfavorable a character of the moral structure of the lower classes.. .bloodshed which is now becoming so familiar in these provinces.. .the primary cause of it is intoxication, and to this may be ascribed the death of the unfortunate Burns...owing to the great influx of Irish emigrants here, these vices are becoming gradually sown in our society, and if they not be speedily eradicated, this settlement will soon be known by no very amiable characters... but shall we allow emigration to become an importation of vices; shall we suffer the most degrading propensities of depraved nature to be transplanted among us, to the utter deterioration of our moral soil? Shall we allow the bulley [sic] and the drunk-en bravado to violate the Sabbath and contemptuously trample

upon the laws of God in open defiance of the laws of the country?

It can scarcely be denied that the Miramichi area took in more than its share of rowdy and destitute Irish immigrants in the 1820s, but in fairness, it should be noted that alcoholism was widespread long before they began to arrive in significant numbers. As early as 1785, Northumberland County's first sheriff, Benjamin Marston, described the residents as "illiterate and ignorant and much given to drunkenness."<sup>21</sup> In 1808, there were no fewer than twenty-two licensed liquor retailers in the county. Import logs from 1818 indicate that 70,000 gallons of wine and spirits were landed that year, or roughly five gallons for every man, woman and child in the county. By 1824 – albeit after Irish immigration was well underway – in excess of 115,000 gallons per annum were being imported.<sup>22</sup> The historical record also reveals that large amounts of intoxicating drink was also being brewed and distilled locally.

#### ABORIGINAL INJUSTICE

Alcohol had a truly disastrous effect on the Native peoples. Centuries of exposure had given Europeans time to build up a certain level of tolerance of it, but the Native population had no built-in protection at all. Liquor is a major factor in the accounts that follow, as is the second class status which Aboriginals were universally assigned by persons of European origin.

At sunrise on the morning of January 2<sup>nd</sup> 1830, a Mi'kmaq man named John Patelas was found bludgeoned to death on the roadside near Crocker's Brook, on the Southwest branch of the Miramichi, in what was then part of Nelson parish, now Derby parish. The body was found a few hundred yards from "the Starling camp," the home of William and Margaret Starling. There were blood stains on the road that morning, and an ash axe handle was found near the victim's body clotted with gore.

Two days later, coroner James Wright empaneled a jury and conducted an inquest. There was much conflicting testimony given, but it was established that around noon on New Year's Day, John Patelas paid a visit to the Starling camp. In what

would prove to be the first of many discrepancies, William stated that Patelas was sober, while his wife claimed that he was drunk. After only a short stay, Patelas had left the camp (which most likely functioned as a tavern), but he showed up again between 7:00 and 8:00 pm, accompanied by an unidentified Native man. Because the pair seemed to be falling-down drunk, Margaret Starling said she declined to let them in and that they kept on walking down the road, arguing and yelling at one another.

A Native woman named Nancy Bartibog and her teenaged son, Matthieu, who were also at the Starling camp that evening, told a different story. Matthieu, age 13, stated that Patelas was admitted into the camp sometime after sundown. He said William Starling sent him to an outside shed to get some firewood, and after he returned, an argument broke out between them which led to Starling clobbering him over the head with an axe handle. Starling then allegedly dragged Patelas outdoors and down the road, where his body was found the next morning. Under cross-examination, the details of Matthieu's version of events changed several times. The jury suspected that he had been coached and decided to ignore his testimony.

A neighbor named Christopher Parker was sworn, and claimed that a Native man named "Saak A Nual" had showed up at his home on the evening in question, sometime between 8:00 and 9:00 pm, looking for drink and a place to stay. He said the man appeared to be wild and agitated. The jury felt that this may have been the unknown man who had appeared at the Starling camp earlier that evening with Patelas.

The jury also learned that the Starlings commonly used a hardwood-axe handle to bar the door of their camp and that it was missing the morning that Patelas' body was discovered. Juror Timothy Robinson, upon examining the scene the day of the inquest, noticed drops of blood on the floor in the porch of the Starling camp. Despite all the seemingly incriminating evidence, the jury found that John Patelas died of blunt force trauma to the skull at the hand of a person or persons unknown.

Nonetheless, at the October 1830 circuit of the Supreme Court, a Matthew Arthur Starling was tried for the murder of John Patelas. It is not known if William and Matthew Arthur

Starling were one and the same, or if the latter was possibly a son or other relative, but he was, in any case, found not guilty of the murder.

On November 24<sup>th</sup> 1833, another Mi'kmaq man, Thomas Swason, was found murdered in Newcastle. He had left his home in Eel Ground on the 19<sup>th</sup> to go into town. When he had not returned by the following day, his wife set out to track him down. Four days later, she discovered his body at Strawberry Marsh in Newcastle.

In the meantime, John Oxford, a 22-year-old neighbor of Swason's, had been telling about an altercation he had with the Native man. He claimed that after meeting up with him in town, he offered to have him return to Eel Ground with him in his canoe. He said Swason accepted the offer, but that when they rounded Strawberry Marsh, he wanted to go ashore again. When Oxford refused, Swason became angry and struck Oxford with his paddle. Oxford claimed that they then agreed to go ashore and settle their differences with a fist fight. He denied having killed the Native man, but a post-mortem examination revealed that Swason had received several blows to the head with a blunt instrument.

The high sheriff of the county had Oxford arrested and jailed. No record of a trial has been found, but it is known that he continued to reside in the area all his life.<sup>23</sup>

The following report appeared in the *Saint John Daily Telegraph* on October 27<sup>th</sup> 1887:

Early last week three Indians from Red Bank, one of them named Tom Suliana [Sulian, Julian], went up the Little Sevogle on a hunting trip. Suliana separated from the other Indians and they returned to the village without him. He has not since been seen by his people. On Saturday last a driver came down from camp on the Little Southwest and reported that an Indian had been found in the woods shot dead.

The Patelas and Swason homicides received local press coverage, but the Miramichi newspapers would not seem to have reported on the "Suliana" death.

There are also rumors of other alleged murders involving Aboriginal persons about which nothing would seem to have

appeared in print. There is a story, for example, of a Native man being killed somewhere near Eel Ground or Red Bank whose body was discovered in the Newcastle area in a canoe that was set adrift. There is a tale from the 1930s of the bodies of a Native man and woman being found on the railway tracks near the Enclosure in Derby parish, and of their deaths being deemed accidental in spite of strong suspicions to the contrary.

### TO GET AWAY WITH MURDER

It has been estimated that there were upwards of 50 taverns up and down the Miramichi River in the mid-1800s. Although these were mostly small, personal operations, their existence reflected the continent-wide “alcoholic malaise” that prompted the founding of the Sons of Temperance in New York in 1842 and later led to prohibition legislation being adopted in both the United States and Canada.

In reference to public drunkenness on the Miramichi, local historian Louise Manny writes:

There were roaring times in Newcastle, when the men came off the drives to spend their winter's earnings in a week's glorious spree. There were riotous summer nights when sailors from the square-rigged ships in port thronged the streets, in drunken hilarity.<sup>24</sup>

B. J. Grant elaborates:

Before mid-century...on the Miramichi...people on water-fronts barred their doors and even strong men stayed off the streets while the lawless packs of lumberers had their spring 'blowout' and brawled and drank themselves into pennylessness [sic] or insensibility.<sup>25</sup>

Many of the shooting, stabbing and beating deaths in the 19<sup>th</sup> century were an outcome of drunken brawls. A case in point is the unsolved murder of George Gray, a native of Prince Edward Island, who was a patron of Burns' Tavern in Chatham on the last night of his life. Numerous witnesses saw him enjoying himself there on Wednesday evening, October 25<sup>th</sup> 1837, but nobody could recall seeing him after 11:00 pm.

The next morning, George Gray, who was said to have had a wife and family in Cocagne, Kent County, was found lying on the riverbank behind the tavern. He was barely clinging to life and died within moments of being found. After examining the body, two of the town's doctors, Stafford Benson and John Pallen, concluded that he died of a fractured skull, caused by a severe blow to the head. Coroner Martin Cramney held an inquest, but since those called to testify had no knowledge of the fatal event, the jury was stymied. Because there was a steep bank behind the tavern, leading down to the shore where Gray was found, they speculated that he *could* have come to his death by slipping down the embankment, so his death was ruled as accidental.

The editor of the *Gleaner* was not convinced of this, however. In the October 31<sup>st</sup> 1837 issue he wrote:

We have made every enquiry respecting this sad occurrence – but the more we hear, the more mysterious the circumstances connected with it appear. Perhaps it is wrong to suppose that he came to his death in any other way than by accident, we trust such is the fact, but there is great room to imagine the contrary. If the latter supposition be the case, the guilty parties, whoever they be, may for the present remain concealed, and hope by keeping their own secrets, to escape detection – but the blood of a fellow creature stains their polluted hands – and though justice may tarry for a while, the avenger is on their track and sooner or later will overtake them.

There are other examples of coroner's juries ruling deaths accidental despite overwhelming evidence to the contrary. On April 4<sup>th</sup> 1853, for example, an inquest was held into the death of 16-year-old Patrick Carroll, whose body was found frozen on the river ice near Chatham, with severe head injuries. Although it was evident that he had been beaten and left to die from exposure, for want of evidence to the contrary, the jury ruled the death accidental.

In this period, there was a drastic lack of resources for both the prevention and solving of crimes. There was no local police force – only justices of the peace, sheriffs (who were concerned mostly with administrative matters), coroners, and prosecutors.

“Parish constables” were appointed annually by the Court of Quarter Sessions, but they were just ordinary citizens who could be called upon to assist when additional muscle was needed. Lack of funds also posed a serious problem. On August 29<sup>th</sup> 1839, a grand jury under foreman John Percival decided to abandon the pursuit of an accused murderer because expenses were adding up with no results.

The oldest unsolved murder in Northumberland County of which a record was discovered occurred on January 28<sup>th</sup> 1823. A man named John Merithew, a resident of St. Mary’s parish in York County, was found murdered on the road leading into Newcastle, his body sprawled across a sled. A coroner’s jury under William Taylor, Esq., ruled that he had been “slain and murdered by person or persons unknown.” In this case, at least, there was no evidence of liquor having been involved.

#### SCATTERED BONES AND HIGHWAYMEN

In the 1820s and ‘30s, New Brunswick was being opened up with stagecoach and post roads. Prior to this, most travel was by way of waterways and portage routes.

The original road from Miramichi to Bathurst was built between July and November of 1827. It started at Gordon’s Wharf in Lower Newcastle and proceeded up the present-day Russellville Road, crossing numerous rivers and streams along the way.

James Forein, of Chatham soon had a stagecoach line in operation along this route, and he obtained a grant of land on which to establish a half-way house and stagecoach depot. He built it and operated it until his death in 1851, according to his obituary in the August 4<sup>th</sup> 1851 issue of the *Gleaner*. Located roughly a mile beyond the North Tabusintac Hill, the “Half-Way Inn” was described as being “24 feet wide and 52 feet long, with 10 bedpoms, 2 reception rooms, a kitchen, and a cellar.”<sup>26</sup>

In 1837, a young Chatham woman named Margaret Ryan, whose family had recently emigrated from County Tipperary, Ireland, went to work as a maid at Forein’s establishment.

Seven days later, she received word that her mother was deathly ill. Ignoring her employer’s advice to wait for Chatham, 22 miles away,

Margaret Ryan was never seen alive again, and her fate remained a mystery until September 20<sup>th</sup> 1840, when a work crew discovered her decomposed remains in a thicket of alders where the road to Miramichi crossed the Eskedelloc River. A jury empaneled by coroner Martin Cranney, Esq., ruled that her death was caused by “violence from blows inflicted to her head, arm and ribs by person or persons unknown.”<sup>27</sup>

A fanciful embellishment that the late Rev. C. J. Mersereau heard from his grandmother was that, before the young woman left the inn, she was paid in gold sovereigns, which she stuck in among tresses held in place on the top of her head by a bun at the nape of her neck. A Native man known as “Pine Cloud,” who was doing odd jobs around the inn, was suspected of having followed her and killed her, but whoever committed the murder failed to get the sovereigns, which were said (but not officially confirmed) to have been discovered with her remains three years later.<sup>28</sup>

This was not the only instance of murder or robbery occurring along lonely roads in the Miramichi area in the 19<sup>th</sup> century. There are tales of “highwaymen” robbing and killing stagecoach passengers and other travelers along the old road between the Nashwaak River settlements and Boiestown on the Southwest Miramichi:

There is a story of a man going by way of the old road with a drove of cattle which he had to sell. He made a successful sale and when returning...was robbed of his gold. Another story states that a man was robbed and shot while traveling in the same area, and the money was hidden in the hollow of an old pine tree.<sup>29</sup>

There is a folk tale of a man being ambushed, robbed, and killed on the Hierlihy Road in Tabusintac: “...a very respected mercantile agent en route from Cains Point to Tabusintac had suffered an ambush and lost his life while crossing the brook at the foot of Mill Hill...it was felt by the locals that...he had fallen among thieves.”<sup>30</sup>

An encounter with a highwayman at Mill Cove (French Fort Cove) had a less distressing outcome:

The darkness of the valley after night and the frequency of sailors and tramping navvies, at one time made the Mill Cove hills dangerous to the solitary traveler who passed through there. Old Mr. Adams, the Hon. Mr. [Michael] Adams's father, was once waylaid on the side hill there by a highwayman; but with quick wit he drew his pipe from his pocket and pointed it, pistol-like, at his assailant. The yeggman at once took flight.<sup>31</sup>

### THE FIGHTING ELECTION OF 1843

There was always a certain amount of animosity and competitiveness between residents of the north and south sides of the Miramichi River, especially between the towns of Newcastle and Chatham. The rivalry found expression through the schools, sports teams, businesses, and political contests. It became so fierce at times that some people were afraid to venture to the other side of the river.

Between 1834 and 1842, Northumberland County's two seats in the provincial House of Assembly were held by lumber baron Alexander Rankin, of Douglastown, and John Ambrose Street, a prominent Newcastle lawyer. The two were nominated to run again in 1842, but before the election took place, a furor arose over the fact that Chatham had no representative in the legislature. Chatham lumber baron Joseph Cunard knew that the allotment of Crown Reserves and the awarding of timber rights were often politically motivated, placing his firm at a disadvantage to Rankin's, but an even greater cause of unrest than his concerns and those of his many employees was a "Chatham rights" sort of uprising headed by an Irish hotelkeeper and firebrand named John Hea. In the 1842 election, this faction was foremost in assuring that a "people's candidate" from Chatham was also on the ballot.

Hea and his followers, and emulators, created so much chaos and disorder during the election that the razor-thin victory of their candidate, John T. Williston, over John Ambrose Street,

was voided and a by-election called for July 1843. This was the "Fighting Election," the most notorious in the annals of New Brunswick politics.

Although the election was officially between candidates Street and Williston, it was also a contest between the rival lumbermen Rankin (who had won his assembly seat again in 1842) and Cunard. As with the previous election, there was violence and brawling in the streets of Chatham and elsewhere in the county. The worst of it occurred on the opening day, Monday July 17<sup>th</sup>, when polling was taking place in Newcastle, and hundreds of Williston supporters descended on the scene, purportedly to ensure that the polling was being conducted fairly.

A resistance faction in Newcastle had readied themselves for an altercation, concealing sticks, stones and other makeshift weapons under sod along the present day Chaplin Island Road. As the Chatham mob made their way up the town hill from the docks, the Newcastle gang unleashed a barrage of missile-like rocks and lumps of coal, causing their opponents to make a hasty retreat.

In the aftermath of the confrontation, a Newcastle tavern and hotel keeper, James Ryan, who had a wife and 10 children, lost his life. It was said that he was a victim of "friendly fire," being mistaken by a Newcastle combatant for a member of the Chatham mob, but this cannot be corroborated. William Gaynor, who was an 18-year-old resident of Chatham at the time, states that Ryan was "returning home peacefully from the election, without thought of rioting, when he was met and killed with a stone near the foot of Street's hill."<sup>32</sup>

On the following day, with polling taking place in Chatham, it was rumored that a mob from Newcastle and Douglastown was planning a siege of the polling station. Barricades were erected, and a pair of cannons stationed near the riverbank, with spikes and scrap-iron piled nearby for cannon fodder. Some northsiders were said to have gone up and down the river in boats, but no clash occurred.

The number of Legislative Assembly seats allotted to Northumberland County was subsequently increased to four to help ensure better balanced representation. Of the seven candidates in the 1846 election, three withdrew at the eleventh hour,

leaving two Newcastle and two Chatham candidates to win by acclamation.

### DEAD IN THE WATER

Over the years, the Miramichi River has claimed untold hundreds of drowning victims. Throughout the lengthy period in which boats were the main vehicles of transportation, and the rivers the main travel routes, the possibility of an accident on the water was as great as the possibility of a car accident today. When the rivers were also used for timber drives in the spring; swimming, bathing, and laundering clothes in the summer; pedestrian travel, horse-drawn transportation, and skating in the winter; as well as for fishing during most of the seasons of the year, it is scarcely surprising that the newspapers of the day had a great many drownings to report.

It would be impossible to present even a meaningful sampling of accounts of drowning accidents in these pages, but two men whose bodies washed up on the shores of the Miramichi River on separate occasions in the summer of 1847 were not accident victims.

The first incident occurred in June 1847, when the body of a man, sewn up in a canvas bag, was discovered on the shore near Point aux Carr. Because it was customary for bodies buried at sea to be sewn up in burlap or canvas, it was logical to assume that this man's body was probably thrown overboard from one of the passenger ships in port at the time, although "burials at sea" were not normally carried out near a port of call. Something more sinister was revealed when an inquest conducted by coroner Martin Cranney determined that the cause of death was drowning.

The second body was found on September 9<sup>th</sup> 1847 by Irish farmer Michael Tuohey in the vicinity of Taylor's Point, near the estuary of the Napan River. This man had been bound and gagged. He had a handkerchief tied around his neck and his wrists and feet were lashed together with spun yarn. Once again, Martin Cranney conducted an inquest which determined that drowning was the cause of death. The jury also ruled that the deceased had been a victim of foul play.

The only other fact known about these men is that they were both middle-aged Caucasians whose identities did not match those of any persons missing from the Miramichi area. There were so many inbound and outbound vessels in that period, and so many seafaring men coming and going, that an investigation of any sort would have had no realistic chance of resolving the two mysteries. So the same questions remain that people along the river were pondering in 1847.

No connection is suspected between these murders and the tragedy of the "fever ship" *Looshtank*, which also played out at Miramichi in the summer of 1847. The ship, under Captain John Thain, sailed from Liverpool, England, in April with about 500 Irish immigrants on board, bound for Quebec. A week into the voyage, a severe outbreak of typhus fever swept through the ship, taking at least 100 lives and incapacitating most of the rest of the passengers and crew. After being denied entry into port in Sydney, Cape Breton, Thain diverted the ship into Miramichi Bay. Only after he threatened to run it aground there, however, was he granted permission to dock at the quarantine station at Middle Island, have the sick attended to, and bury the dead. While there, he himself contracted the illness, but he lived to continue to Quebec City with 56 of the original 500 on board. Many had died; others refused to board the ship again.

### THE WEIRD DEATH OF THE WIDOW QUILTY

The Northumberland County census of 1851 states that the widow Mary Quility (née Mary Connick) came to New Brunswick from Ireland in 1836, presumably with her husband, but her five known children were declared to have been born in the province: Michael was 16 in 1851; Richard 13, Mary 10, John 8, and Patrick 6. If the census data can be assumed to be roughly correct, Mr. Quility may have died between 1844 and 1851.

As elsewhere noted, alcoholism was widespread in the 1850s, not so much among women as men, but Mrs. Quility was addicted to it. This came to light in 1855 when a fight broke out at the family home in Chatham between her and her 14-year-old daughter, Mary. At issue was the 41-year-old mother's uncontrollable drinking, and being in a drunken state during the

dispute, she picked up a stick of stove wood with which to threaten her daughter.

Fearing for her life, 14-year-old Mary gave her mother a forceful push, which landed her on top of a rocking chair. Incredibly, one of the broken spokes on the chair pierced the drunken woman's abdomen. Her blood being thinned by the alcohol, the wound leaked profusely, and within an hour or two she had bled to death.

Martin Cramney, Esq. held an inquest on July 4<sup>th</sup> at the home of a neighbor, Johanna Gaines. The finding of the jury, which included Patrick Kierney, John Bannon, Peter Dunn, and Donald McInnis, was that Mrs. Quilty's death was an unfortunate accident. No blame was assigned to the daughter. The *Gleaner* of July 7<sup>th</sup> 1855 carried a report of the jury's findings.

#### A STABBING AFFRAY

On Monday evening, August 27<sup>th</sup> 1860, a fatal stabbing occurred in downtown Chatham which would seem to have been the first homicide in the Miramichi area since the summer of 1856, when a man named William Craig was convicted of killing his wife.

John V. Miller and Stewart Johnston had a lot in common. Both were 20 years old. Both were the eldest of several siblings, and both came from respectable families, Miller's father being a house painter and Johnston's a shopkeeper.

On the night in question, the two young men were at a Chatham tavern owned by Mary Forein, widow of James Forein, who had operated the "Half-Way Inn" for many years on the road between Miramichi and Bathurst. The two had been engaged in some type of argument or dispute the previous week, and Louisa Forein, a daughter of the proprietor, noted that there was "a coolness between them lately."

At Mrs. Forein's establishment that evening, they each drank only one cup of liquor. Johnston reportedly left the tavern around 10:00 pm and Miller roughly 10 minutes later. Shortly afterwards, they got into a fight at the corner of the present

Duke and Water streets. Johnston, who was muscular and stout, gained the upper hand, striking Miller a couple of hard blows to the face. Miller then produced a knife and stabbed Johnston in the right breast.

The two stumbled away towards their respective homes. Local constables George Hardie and Robert Wall, who happened to be nearby, heard a commotion and approached the scene. They heard somebody say "Don't follow me" or "Stop following me" and then encountered Miller, holding a handkerchief over his eye. He told them he had been hit by Johnston, but when they offered to pursue Johnston, Miller insisted that it wasn't necessary. They didn't know, of course, that Johnston had been stabbed by Miller.

When Johnston, who was by this time bleeding profusely, got just outside the porch of the family home, he grew light-headed and fainted. His parents heard him collapse, and with help from a neighbor, they got him upstairs to his bed. They then summoned Dr. John Thomson, who quickly saw that the prognosis was not good.

The authorities were notified of the assault, and Miller was apprehended the next morning by Bartholomew "Batty" Stapledon, Chatham's first police chief. He took Miller to the office of John Williston, Esq., who also later took an *ante-mortem* statement from Johnston, in which the failing man confirmed that he had been stabbed by Miller.

The next evening, August 29<sup>th</sup>, Stewart Johnston died. A coroner's inquest conducted by Martin Cramney found that his death had been caused by John V. Miller. A grand jury subsequently indicted Miller for murder, and he was confined to the county jail until September 15<sup>th</sup>, when he was brought before a sitting of the Supreme Court of New Brunswick.

Judge Lemuel Allan Wilmet presided at the trial. The prosecution was conducted by John Ambrose Street, who was then practicing law in Fredericton, and Charles Watters, the solicitor-general of New Brunswick. Acting for the defence was John M. Johnson, of Chatham, a future Father of Confederation.<sup>33</sup> After witness testimony and final summations were heard, Judge Wilmet charged the jury, thoroughly explaining the difference

between wilful murder, manslaughter and justifiable homicide. After only 30 minutes a verdict of guilty of manslaughter was returned. The sentence pronounced by Judge Wilmot was five years of hard labor in the provincial penitentiary.

### RUFFIANS AFOOT

In the mid-19<sup>th</sup> century, Newcastle and Chatham were bustling portside communities, with large volumes of imports and exports being carried in and out by a steady stream of brigs, schooners, square-rigged vessels and steamers. Sailors from elsewhere in the region, the United States, the British Isles, and numerous foreign countries took shore leave while in port and often created a ruckus. In his landmark history of New Brunswick, W. S. MacNutt states that, "especially on Sunday afternoons it was the custom of the hundreds of sailors from the ships in the harbors to come ashore and run riot."<sup>34</sup>

On Sunday afternoon August 21<sup>st</sup> 1864, a group of Greek sailors got into a violent skirmish with some hell-raising locals outside a tavern in Newcastle. Rum had undoubtedly flowed beforehand, and blood was to flow as well.

The town constabulary rushed to the scene and tried to restore order, but before the melee ended, one of the Greek sailors stabbed policeman George Johnston in the back, below the ribcage, narrowly missing vital organs. He then high-tailed it to the docks, jumped into the river and swam out to his vessel. A number of local men commandeered a row boat, paddled out to the ship and demanded that the offender be handed over to them. After resisting for some time, the captain relented, and the man was taken off to the county jail. Nothing more is known except that Cst. Johnston recovered from his wound.<sup>35</sup>

the four) in Lower Blackville on Saturday evening August 7<sup>th</sup> 1869. He had just received his monthly wages, in the amount of £16, and the rum was being passed around liberally.

Sometime after midnight, with the rum running low, the party petered out, and the four guests, all of whom were intoxicated, headed off towards their respective residences. In Haywood's case, this was the home of his employer, who operated a small sawmill near Indiantown (Quarryville), and in whose home he boarded. Haywood was on horseback that night and the other three on foot.

The horse Haywood was riding found its way home and was grazing around the employer's barn the next morning, but its rider had not. However, it was not until James Haywood failed to show up for work on Monday morning that his friends and co-workers became concerned.

A week later, on August 15<sup>th</sup>, Haywood's body was found in a swamp known locally as "Hayes' Hollow," just off the Renous River Road, about a mile and a half from the Schofield residence, where Haywood had last been seen alive. There were five stab wounds in his side as well as other signs of violence. There could be no doubt that he was murdered, and the fact that the pay he had received was missing provided a motive.

The home closest to the place the body was found was a small cabin in which a man named Thomas McGowan lived with his wife, Ellen Donovan, and an adopted daughter, Joanna, age 14.

An inquest was conducted by coroner Dr. John Benson in Derby parish, at which young Joanna McGowan gave evidence that implicated her adoptive father. She testified that James Haywood had showed up at their home in the early morning hours of Sunday, August 8<sup>th</sup>. From her room, she had heard a knock on the door, at which time McGowan went outside. She then heard a scuffle taking place, and about 20 minutes later, a faint moan from some distance away. About an hour after that, she heard McGowan return. The next day outside their shanty she saw blood on the ground, trailing off towards a nearby brook. She said that when she later learned that Haywood was missing, she feared the worst.

### THE RENOUS RIVER ROAD MURDER

James Haywood, a young man in his late twenties, did not realize that he had only hours to live as he sat around drinking with four friends at the Schofield residence (the home of one of

Thomas McGowan himself testified that James Haywood had arrived at his home shortly after midnight, and in a drunken and belligerent manner, demanded liquor. When he threatened to kick the door in to get it, McGowan felt he had to respond. He said he never realized he had a knife in his hand until the deed was done, but it was surmised that he had gotten the knife from the pantry before he went to the door.

Despite his improbable narrative, Thomas McGowan might have gotten away with murder had he not dragged Haywood's body to the swamp and also stolen his money. However, he was not immediately arrested – just instructed not to stray too far. He didn't stray, but on Sunday August 22<sup>nd</sup> 1869, while his wife and daughter were at Mass, he went out to his barn and attempted to commit suicide by cutting his throat with a razor. When his wife and daughter returned, he was lying in a pool of blood.

After driving 30 miles up from Newcastle, Dr. John Benson discovered that McGowan had cut his throat in two places. There was a slash just below the chin and a parallel one two inches lower. Both cuts had severed his windpipe, but miraculously, no major blood vessels had been damaged. Benson sewed up the lower cut but found that he could not stitch the upper one without obstructing the airway.

After a few days, McGowan appeared to be on the mend, and he was arrested and taken to the Newcastle jail. He was able to speak legibly only by holding a towel over his throat, but his appetite returned, and his prospects looked promising – that is, until the top wound in his neck started to heal on its own. Then it became increasingly difficult for him to breathe or swallow. Dr. Benson wanted to insert a tube into the airway and perform surgery, but McGowan wouldn't hear of it.<sup>36</sup>

McGowan's state of health declined slowly but surely until he passed away on November 22<sup>nd</sup> 1869, never having stood trial for the murder of James Haywood. The consensus in the Blackville area was that he had escaped the jaws of justice, although he had undoubtedly endured a great deal more physical agony than if he had been hanged.

McGowan had been implicated in another murder in the spring of 1868: A carpenter named James Stewart had been commissioned to construct a ferry boat for use on the Miramichi

River below the mouth of the Renous, and he hired Thomas McGowan and James Baldwin to assist him. The work proceeded at the river shore near Indiantown Brook, but the skills of Stewart's two employees left much to be desired, and they resented being reprimanded for this.

One Sunday morning after Mass, an announcement was made that James Stewart was missing. A search party was organized and a sweep made of the area. A man named Andrew Tucker discovered a whetstone lying among some tall reeds near a place called "Baldwin's Fork." He recognized it as one he had recently loaned to Stewart. Grass nearby had been trampled down, and by following where the trampling led, searchers found Stewart's lifeless body. He had been stabbed to death.

James Baldwin and Thomas McGowan, who had both been under the influence the previous evening, were suspected, arrested and accused of murder. At their trial, however, the prosecution could only produce one witness, a school teacher who testified to hearing the two whispering that evening about "sharpening their knives." For lack of evidence, the case was dismissed and the two men acquitted.<sup>37</sup>

In a bizarre twist of fate, Thomas McGowan's widow, Ellen, was remarried, to his alleged former partner-in-crime, James Baldwin.

## BLOODY WEDNESDAY

One of the blackest days in New Brunswick history is "Bloody Wednesday," January 27<sup>th</sup> 1875, the day the "Caraquet Riots" reached a violent climax, with long-lasting consequences for Protestant-Catholic and English-French relations in the province.

The impetus for the "Common Schools Act" of 1871 was to bring the province into line with other jurisdictions in Canada and elsewhere that were introducing publicly-funded, non-denominational schools for all children, as opposed to the existing mishmash of public, private, and religious schools available to pupils in some communities, but not in others, and lacking uniformity of academic and other standards.

However, a plan that was envisioned as an enlightened first step towards schools of a type found throughout most of the world today, reflected, at that time, English-speaking Protestant values only. Thus it was vigorously opposed by Roman Catholics, and with added intensity, by the province's Acadians, who saw it as disrespecting both their religion and their language. To add insult to injury, the legislation also provided for the levying of a new school tax.

All aspects of this complex and still-inflammatory issue, from its divisive politicization, through the insensitive manner in which it was implemented, to the flurry of legal and other challenges that it provoked are dealt with from different points of view in a plethora of popular and scholarly publications, one of the most noteworthy of which is a paper published in 1972 by the Canadian historian George Stanley.<sup>38</sup>

Nowhere in the province did opposition to the provisions of the Common Schools Act become as palpable as they did in Caraquet, on the Acadian Peninsula. Emotions boiled over at a meeting held there on January 14<sup>th</sup> 1875. Scuffling that broke out afterwards was followed by several days of rioting, during which a group of about thirty Acadian men, fueled by liquor, vandalized the offices of local officials and intimidated fellow Acadians who had paid or agreed to pay the new school tax.

The breach of law and order prompted the high sheriff of Gloucester County, Robert Vail, to issue warrants for the arrest of the rioters and to call for support for the county's constabulary. In response to the call, twenty volunteers from the Miramichi area, who were deputized as "special constables," but were disparagingly referred to as "Orangemen" by outraged Acadians, arrived in Caraquet on the morning of January 27<sup>th</sup> to assist in quelling the violence and apprehending the offenders.

When a group of rioters, who were gathered at the home of André Albert, learned that armed men were coming to arrest them, they climbed up into the attic of the house. Upon entering the premises, Cst. Robert Ramsay, the leader of the Miramichi contingent, was told that there were no rioters there, but hearing a noise overhead, he fired a round up through the ceiling, and an armed confrontation was underway.

Three of the special constables, John Loggie, Henry Burbridge and Richard Sewell, managed to get up into the attic, but when 23-year-old John Gifford, the son of a Newcastle blacksmith, pulled himself up through the trap-door, he was shot through the head and killed – his body falling down into the arms of a man named Harry Bannister. Several more shots rang out in the attic, one injuring an Acadian surnamed Lanteigne and another killing 19-year-old Louis Mailloux.

It was believed that Gifford had been shot by a man named Agapit Albert, who jumped down through the trap-door and tried to escape immediately after Gifford fell. A later examination of Gifford's Smith & Wesson revolver determined that one shot had been fired from it, raising a suspicion as to why he may have been targeted. It was rumored that Richard Sewell fired the shot that killed Louis Mailloux, but this is one of many uncertainties.

The rest of the rioters were apprehended and taken to the county jail in Bathurst. A detachment of the Newcastle Field Battery, under the command of Maj. Robert Call, was deployed there to ensure that the prisoners would not be sprung from custody by sympathizers.

It was reported that a crowd of over 700 attended the funeral of John Gifford at St. James Presbyterian Church in Newcastle. A white marble obelisk with a lengthy inscription attesting to his "manly bravery" still stands in the church cemetery. Nine rioters were subsequently charged with his murder. They were found guilty of manslaughter, but their convictions were overturned on appeal.

La Polyvalente Louis-Mailloux, a French-language secondary school in Caraquet, continues to honor the memory of the fallen Acadian.

#### THE CONNICK KILLING

Fifty years after the beating death of Thomas Burns, as narrated in "Nefarious Nights in Nelson," the village of Nelson experienced another senseless homicide, similar in its particulars.

Between 9:00 and 10:00 pm, on Tuesday, March 25<sup>th</sup> 1879, a young husband and father named William Connick was fatally

stabbed on the roadway outside of Carroll's Inn and Tavern. He had been drinking there that evening with James Handley, and the brothers James and Joseph Meagher. According to the inn-keeper, Matthew Carroll, and other patrons, the four seemed to enjoy one another's company, and Joseph Meagher picked up the tab for all of them.

At a certain point, however, the Meagher brothers were refused further service by Carroll and left the premises. About 10 minutes later, James Handley also left and came upon the Meaghers still on the road in front of the tavern with their horse and sleigh. They offered Handley a lift and he climbed into the sleigh with James Meagher, while Joseph continued to stand alongside, with the horse's reins in his hands.

William Connick then left the tavern, after also having been denied further service, and when he approached the others, the horse suddenly reared up, throwing James Meagher out of the sleigh. Seeming to believe that Connick had deliberately spooked the horse, Joseph Meagher pulled his jacket off, angrily uttered words to the effect that he had "a job to do," and attacked Connick. Handley climbed down from the sleigh, and when he did so, he was attacked by Joseph's brother, James.

Suddenly, Connick yelled out that he was hurt and began staggering back towards the tavern, at which point the two brothers climbed into the sleigh and headed towards their home on Semiwagan Ridge, 10 miles away.

Innkeeper Carroll let both Connick and Handley back inside, where Connick collapsed on the floor in front of the stove. He was bleeding below the navel, and when Carroll and his sister Martha loosened his trousers, they found a puncture wound from which eight or nine inches of intestine was protruding.

Carroll and a customer, James Woods, readied a horse and sleigh to cross the frozen river to Newcastle to get Dr. William Bishop. They arrived back after midnight, and the doctor went to work on Connick, who was now writhing with pain. The doctor did his best, but William Connick died 36 hours later from inflammation of the bowel. Although his home was only 300 yards away, he had remained at Carroll's establishment to the end, being attended by Dr. Bishop, and by his mother-in-law, Alice Richardson, who lived across the road.

Before Connick died, JP William Masson issued a warrant for Joseph Meagher's arrest, and after his death occurred, Meagher was tracked down and charged with murder.

Coroner Dr. Ingraham B. Freeman held an inquest at which James Meagher alleged that Connick and Handley had attacked him and his brother, Joseph, and tried to rob them. He insisted that his brother had merely acted in self-defence. For whatever reason, these claims were not repeated at the preliminary inquiry or the trial that followed.

The grand jury found a "true bill" in this case, and Joseph Meagher stood trial for murder at the September term of the Supreme Court, over which Judge Edward Ludlow Wetmore presided. The attorney-general, John J. Fraser, a native of Nelson parish, was the prosecutor, and William Wilkinson and Richard Adams represented the accused. Testimony was heard from Handley, Carroll, Dr. Bishop and several others, and after cross-examination, the case went to the petit jury.<sup>39</sup> Four hours later, a verdict of guilty of manslaughter was returned. The next morning, Judge Wetmore sentenced Joseph Meagher, who had remained aloof and indignant throughout the proceedings, to seven years of hard labor.

#### THE GHOST OF ARTHUR UNDERHILL

Throughout its history, the Miramichi area had its share of cases of persons who just "vanished into thin air." One of the strangest of these was the case of Arthur Underhill, who disappeared on January 8<sup>th</sup> 1883, the night before he was to be married. As far as is known, he was never seen nor heard from again, but did he just get cold feet and run, or was he the victim of something tragic or sinister?

Arthur Averitt Underhill was one of nine children of Maj. Thomas W. Underhill, a prominent militia officer and Blackville parish magistrate, and his wife, Mary Ann Sutherland. At the time of his disappearance, he was the 34-year-old manager of a store that wealthy ex-lumberman James Robinson owned at the Southwest Boom.

It was said that Underhill was engaged to be married to the daughter of a Nelson family, but her name never appeared in the

press. The day before the wedding, he went to Chatham to have alterations made to his wedding suit and exchange the wedding ring he had bought for one of a different size. Since his suit was not going to be ready until 10:00 pm, he took in a performance by "Le Grand Troupe" at the Masonic Hall that evening. He later went to the Metropolitan Hotel, where he had drinks with friends and well-wishers. Between 11:00 pm and midnight, he borrowed a coat from the hotel proprietor, John F. Jardine, and for whatever reason, hurriedly left through a side door. That was the last that was ever seen of him.

The next day in Nelson, wedding guests waited in vain for the groom to show up. In due course, the wedding was canceled, and rumors took flight. Friends said he had been "overjoyed" at the prospect of marriage. He had acquired a marriage license and had a home ready for himself and his bride to move into. Talk of foul play became intense when it was learned that he had been carrying a substantial amount of money on his person with an eye to buying a property in Chatham.

Friends conducted searches. James Robinson, his employer, hired Chatham lawyer Richard Adams and a private detective to investigate the matter and offered a reward for information that would solve the case. Attorney Adams even traveled to Quebec to question members of "Le Grand Troupe," whom it was thought may have been among those drinking with Underhill at the Metropolitan Hotel.

Somebody told Adams that Underhill may have taken a north-bound train that evening. A Pullman conductor claimed that a man matching his description was on board the train to Quebec. Such speculation, insubstantial though it was, caused public sympathy to shift from Underhill to his fiancée and his parental family, whom it now seemed may have been cruelly abandoned.

It is probably safe to assume that the Arthur Underhill case would have been on few minds five years later, when on a muggy July night, Blackville resident James Coughlan was drinking himself into a stupor at a tavern in Chatham. Sometime around midnight, he staggered off towards the train station, hoping to catch a few hours' sleep before boarding the train back to Blackville in the morning.

Walking along the dark and deserted streets of Chatham that night, Coughlan claimed to have been approached by "the ghost of Arthur Underhill," which revealed that he had been "murdered by one man and buried under Jardine's barn by three others." "It was for my money that I was murdered," the ghost said. "My body was placed in a barrel and buried under the floor of the third stall on the right hand of the stable door."

The specter then told Coughlan to return to Blackville and get "Nat" (i.e., Arthur's brother British Nathaniel Tarleton Underhill), and promised to appear again the next night to both him and Coughlan. Before vanishing into the mist, the ghost also disclosed the names of the murderer and the three men who buried the body of the victim!

Coughlan and "Nat" Underhill dutifully appeared the next night, but the spirit did not keep its part of the bargain. Nonetheless, it was reported in the press that the floorboards under the stable of the barn attached to the hotel being patronized by Underhill the night he disappeared were torn up and the ground underneath dug up and searched extensively. However, nothing was found "to substantiate the story of the spirit," and the names that the spirit had confided to Coughlan were never divulged either.

#### FOUL PLAY AT THE INDIAN GARDENS

The Indian Gardens Road leads west from Red Bank in South Esk parish, through a short stretch of settlement before it becomes an early 19<sup>th</sup> century woods road known as the "Old Highway." On a late summer evening in 1883, the tiny settlement was the site of a brutal, booze-fueled beating death.

William Mullin, age 33, who lived on the Indian Gardens Road with his wife and children, was selling liquor from his home, seemingly in contravention of the Canada Temperance (or Scott) Act, which had been adopted by local option in 1880. He was himself a drinker, who would become aggressive when intoxicated. He was also a troublemaker who quarreled with his neighbors and had been charged with various offenses over the years. However, much the most serious charge he ever faced was for the murder of John Hubbard, a 24-year-old neighbor

who lived with his parents a stone's throw away from the Mullin property.

On Saturday, September 15<sup>th</sup> 1883, between 6:00 and 7:00 pm, Hubbard stopped at Mullin's to get some liquor. He then went to visit a neighbor, James Payne, with whom he spent the next few hours drinking. He left around 11:00 pm and encountered Alex Johnston traveling along the road on horseback with his dog following behind. Hubbard asked him to accompany him back to Mullin's to get more to drink, to which he only reluctantly agreed.

When they arrived at Mullin's, Hubbard went to the door, but Mullin had already closed up shop and gone to bed. Hubbard became indignant, pounded on the door and windows, and picked up Mullin's dog from the front step and carried it out to the roadway, where it immediately got into a fight with Alex Johnston's dog. This caused an incensed Mullin to storm out of the house in his bare feet to confront Hubbard.

While Johnston was trying to break up the dog fight, the two got into a yelling match which escalated to armed combat – Mullin with a four foot length of wood two inches thick in his hand, and Hubbard with a large stone in each of his. Johnston later testified that he heard Hubbard say: "You damn son of a bitch, I'll knock your brains out," and saw Mullin club Hubbard on the head, causing him to collapse on the ground. Mullin's wife and a woman named Jane Matchett, who had been staying the night with the Mullins, were also out in the yard and saw Hubbard struck.

Other neighbors or passers-by soon gathered, including Hubbard's father and brother. Mullin went back into the house. Hubbard made several attempts to stand up and walk around, only to fall back down. Later, he was taken to the nearby home of Robert Estey to await the doctor's arrival.

In the meantime, Alex Johnston went in to speak with William Mullin, who said little to him except that this was not the first problem he had with Hubbard. It was later learned that he had to bar the door on one occasion to keep him and a man named Robert Holmes out.

John Hubbard received medical attention, but he was fatally injured and passed away the next evening, after dusk, in Robert

Estey's porch. Compounding the tragedy of his death was the fact that many of the residents in this tiny community were closely related – Estey, for example, being a brother-in-law to both Hubbard and Mullin.

Dr. Hiram Fish performed a post-mortem examination and was of the opinion that the stick Mullin used would not have been heavy enough to inflict the wound that Hubbard received, which raised the possibility that Hubbard struck his head on a stone when he fell. Nevertheless, Mullin was arrested for murder and brought before police magistrate John Niven in Newcastle. A preliminary inquiry was conducted by Crown Prosecutor Samuel Thomson. It confirmed that John Hubbard was killed by William Mullin, and Mullin was ordered to stand trial for murder at the March 1884 sitting of the Supreme Court.

At the trial, which was presided over by Justice John Wesley Weldon, the jury became hopelessly deadlocked, and a new trial was scheduled for the next sitting of the court. At this sitting, in October 1884, the accused was ably defended by Michael Adams, Esq., who argued that he had acted in self-defence. The jury, of which J. C. Fairley was foreman, rendered a verdict of not guilty. Mullin was released and did not get into serious trouble again, it would seem, prior to his death in 1905, at age 56.

Another murder was said to have occurred on the Indian Gardens Road during the 1930s, although there seems to be nothing in print to substantiate this claim. According to local tradition, a woman was known to frequently show up at the home of neighboring families, seeking refuge from her abusive husband. One night, their small cabin burned to the ground. Evidence was allegedly found among the ruins indicating that the woman had been tied to her bed prior to the inferno. The husband vanished, but word was received many years later that he had died while living and working in Maine.

#### CONFESSION ON THE GALLOWS

Near the heavily forested central part of the province, a few miles southwest of Boiestown, is a small settlement called Astle, on the former portage route between the Nashwaak and the Southwest Miramichi rivers.

In 1887, the widow of Henry Greer was living in a modest log cabin in the Astle area, near the Taxis River. There were three other residents in the home: a 30-year-old son, William (himself a widower), a 24-year-old son, John, and a 9-year old adopted daughter, Jane.

The October 24<sup>th</sup> 1884 issue of the Saint John *Daily Telegraph* reported that on the morning of October 22<sup>nd</sup> a fire had devastated the Greer cabin, killing both Mrs. Greer and her adopted daughter. Son John had escaped the flames. His brother William was missing.

Coroner Dr. David R. Moore, of Stanley, conducted an inquest, at which John testified that there was a large crack in the bottom of their woodstove, from which he believed hot coals had fallen. He testified that being awakened by a stifling smoke, he got himself and his mother to a window, but she had been unable to follow him through it, and it was not feasible for him to re-enter the cabin.

William's absence raised suspicions, but since the jury felt that his remains may have been completely incinerated, the fire was ruled accidental.

John Greer moved west, and the tragedy seemed destined to fade from memory, until the *Fredericton Gleaner* of January 21<sup>st</sup> 1896 published a startling postscript to it. It stated that out west, some time ago, John Greer had stabbed a man to death and was sentenced to hang. "When on the gallows," the article states, "he made a confession":

He related the occurrence of the burning of his home on the Portage and said that the crime was his. According to the story received he and his brother, William, had just returned from the woods on the night of the fire, having been cutting cedar logs. On their way home they called into a house to get some liquor. After drinking they resumed their journey and had not gone very far when they quarrelled and the result was that John killed his brother William and buried the body in a swamp not far from home. To cover up the crime he resolved to go home and set fire to the house, burn his mother and adopted sister, throw his own outer clothing into the flames and then give the alarm that the house was destroyed by fire; that his mother, brother and adopted sister were burned to death and that he himself had all he could do to escape in his night clothing.<sup>40</sup>

## A SHOOTING AT SUNDOWN

At sundown on Tuesday evening, September 25<sup>th</sup> 1888, Isaac Jackson of Chatham parish encountered the brothers John and Patrick O'Brien of Rogersville near Matthew Carroll's tavern in Nelson, close to where Joseph Meagher fatally stabbed William Connick nine years earlier.

John O'Brien climbed down from the wagon he and his brother were riding in and began to engage in friendly banter with Jackson. However, John's brother Patrick, still seated in the wagon, had harsh words for Jackson, complaining that in his capacity as a Chatham parish constable he had arrested him unfairly two years previously.

In front of a gathering crowd, things then began to heat up between Isaac Jackson and John O'Brien, who had taken on the role of surrogate for his brother. Before long, the dispute became physical, with the larger, more muscular O'Brien quickly gaining the upper hand. When O'Brien delivered a hard kick to his opponent's face, Jackson discarded his coat, produced a pistol, and shot the 50-year-old in the chest. The mortally wounded man staggered back a few paces and fell against a fence, his body crumpling as it dropped to the ground.

By this time, Patrick O'Brien had dismounted the wagon to attend to his brother. When Jackson pointed his pistol at him, he grabbed him and threw him down to the ground. Amidst the chaos, Jackson was ushered off to the nearby post office by his son Anthony, who was traveling with his father that day and had seen all that occurred. Jackson washed the blood from his face and hands, went out a side door with his son in tow, and fled the scene.

Dr. Francis J. Desmond came to attend to John O'Brien, but it was too late. The bullet had entered his chest between the second and third rib and penetrated the left lung. The next day, coroner Dr. A. C. Smith empaneled a jury which ruled that Jackson had "feloniously and unlawfully killed John O'Brien." Jackson surrendered to John Shirreff, the high sheriff of Northumberland County. On December 11<sup>th</sup> 1888 a grand jury indicted him for murder. He pleaded not guilty at his arraignment and was committed for trial before Justice J. C. Allen.<sup>41</sup>

Among the witnesses at the trial were the Nelson postmaster Henry Gitchell and his wife Elizabeth, the innkeeper Matthew Carroll and his wife Susan, 17-year-old Moses Gorman and the son of the accused, Anthony Jackson. The prosecution was conducted by A. G. Blair, the provincial attorney general. Witnesses agreed that both men had been drinking but that neither appeared to be drunk. They also agreed that John O'Brien had instigated the fight. He had knocked a tobacco pipe from Jackson's lips, and Jackson had been heard to say "let bygones be bygones" prior to being assaulted. However, after being kicked by O'Brien, he said "I can handle him" and produced the pistol.

Issues the jury had to consider were whether Jackson feared for his life and if the use of lethal force was justified. After Mr. Blair rested the case for the prosecution, L. J. Tweedie, counsel for the defendant, had a number of witnesses testify about the quarrelsome nature of the deceased. Among those called were high sheriff John Shirreff, stipendiary magistrate John Niven and George Burchill, owner of a successful lumber business in Nelson.

Following the defence's case, Justice Allen instructed the jury, which deliberated for three hours before finding Isaac Jackson guilty of manslaughter, with a strong recommendation for mercy. He was sentenced to two years of incarceration.

This shooting prompted the editor of the *Union Advocate* to observe in the October 3<sup>rd</sup> 1888 issue that Nelson "is a regular rumhole, where liquor can be got in any quantity and almost everywhere. The law being openly violated with impunity."

Nelson upheld its reputation for intemperance even during the prohibition years, when the Scott Act (so-called) was supposedly being rigorously enforced. A headline from the July 20<sup>th</sup> 1904 issue of the *Union Advocate* reads:

*LOTS OF DRUNKS OVER IN NELSON...  
SCOTT ACT IS A FARCE.*

## THE WRECK OF THE RUSTLER

In the second half of the 19<sup>th</sup> century and the first two decades of the 20<sup>th</sup>, steam-driven paddle wheelers were a common sight

on the Miramichi River, ferrying passengers up and down the scenic waterways. One such boat was the "noisy but fast" *Rustler*, which was christened into service in 1891.

On Sunday, September 3<sup>rd</sup> 1893, the *Rustler*, with Captain John Russell in command, carried passengers to a picnic at Bartibog, about 15 miles downriver from Newcastle. Among those on board was Charles Morrison (this author's great-great grandfather), a stonemason from Nelson, his wife Mary Ann and their 16-year-old daughter Mary Agnes. All went well, and on the return trip upriver that evening passengers were safely dropped off at Chatham and Douglastown. Night had fallen before the *Rustler* steamed towards her final destination, Ritchie's wharf, in Newcastle.

While most of the other passengers were standing under the moonlight on the deck, Mary Agnes Morrison and two of her young friends were inside the cabin chatting with the young fireman, who was responsible for maintaining the boiler. Unbeknownst to them, the captain had failed to station a look-out at the bow of the boat, and it came as a shock to all on board when its starboard side smashed into Kerr's wharf in Rose Bank (Nordin). The collision caused a jagged length of lumber from the wharf to penetrate the fire cabin and break loose the boiler's main piping header, discharging an eruption of high-pressure steam throughout the cabin.

Of the three young women inside, Mary Agnes Morrison was killed instantly, her friend Jane Landry jumped overboard through a window and drowned, and a Miss Driscoll was severely scalded and suffered a fractured arm. While pandemonium reigned, a man named DeWolfe came alongside with his dinghy and began shuttling passengers ashore. Later, the steamer *St. Nicholas* arrived to transport those who remained to Ritchie's wharf.

A coroner's jury found Captain Russell guilty of negligence causing death, and he was charged with manslaughter.<sup>42</sup> A preliminary examination was conducted by police magistrate John Niven, at which Samuel Thomson, QC, spoke for the prosecution and Hon. Lemuel Tweedie for the defence. The legal steps that followed are not clear from the available documentation, but the charges were dropped and no trial held.

The *Rustler* was repaired and returned to service, only to be partially destroyed by a fire in 1897. After being restored again, she was linked to another fatality on June 5<sup>th</sup> 1899, when fireman William Dunnett fell overboard and was drowned. Witnesses said he had been leaning over the gateway to get a pail of river water, when it collapsed under his weight.

In 1901, the *Rustler* was refurbished by Hugh Lamont, who had a boat construction business in Douglastown, but her record of mishaps was not yet complete. Another occurred in the summer of 1904, when she collided with pickets close to shore while returning from another picnic in Bartibog, severely injuring several passengers. And she was damaged and nearly sunk in November 1907 while hauling several tons of flour, feed and other cargo from Newcastle to Daniel Sullivan's business in Red Bank. Ill-equipped for ice-breaking, her hull was pierced by river ice in the Cassilis area, and Captain Spurgeon Amos was forced to run her ashore to prevent her from sinking.

The *Rustler* still had more service to provide under a succession of owners, the last of which was the Newcastle Steamship Company, which advertised her for sale in 1919 – boat and engine together or separately.<sup>43</sup>

#### A PACK OF LYONS

When the 1891 census was taken, Robert Stewart, age 50, a cooper, or maker of barrels and casks, was residing with a brother and sister, and a niece and nephew, on a farm in Lower Newcastle, where they had lived all their lives. Their home was next door to that of Martin and Annie (Fitzpatrick) Lyons and five of their sons, who ranged in age from 33 to 51.

One day in early February 1894, Robert Stewart went to Newcastle to lodge a complaint against two of the younger Lyons sons, whom he accused of having beaten him senseless. In fact, he had received life-threatening internal injuries that led to his death before any legal action could be taken against his attackers.

Stewart's death was reported in the February 14<sup>th</sup> 1894 issue of the *Chatham World*. While the article did mention the

beating, the underlying circumstances were not commented upon. Coroner Michael S. Benson, who was also an attorney, and Dr. James M. Baxter, determined that an inquest would not be necessary. As far as is known, the Lyons brothers were never held accountable for their neighbor's death.

Robert Stewart's narrative would be easier to dismiss were it not for the fact that the Stewart and Lyons families had been living side by side at this location for more than a hundred years, in a relationship characterized historically, at least, by conflict and bitterness. In 1959, in her local newspaper column entitled "Scenes from an Earlier Day," Louise Mammy wrote:

In 1785 [Martin Lyons] settled on Lot 46, at what is now Lower Newcastle, and the Lyons family still live on this grant.... All went well until one Alexander Stuart [Stewart] was located on Lot 47. As often happened, a surveyor's error gave a wrong boundary, and Stuart's house, it was said, turned out to be on Lyons' lot. Stuart's case was strongly supported by a testimonial to his good character, signed by several dozen settlers. Also, he wrote the Governor that he had built a house on Lot 47, and Martin Lyons had raised no objection. But suddenly, after a year, Lyons insulted him, threatened his life, drove him off, took possession of the lot, and threw into the river Alexander Stuart's boards which he had brought to cover the house. The Justices of the peace summoned Lyons, but without effect.<sup>44</sup>

Was Robert Stewart's beating death an episode in a century-long family feud, an isolated and unrelated incident, or a false narrative concocted for an unknown purpose?

#### HALLOWEEN HOMICIDE

Throughout the years, in the Miramichi area, there have been stabbings, shootings, beatings, and suicides on All Hallows' Eve, the spookiest day in the Christian calendar. One such incident happened on October 31<sup>st</sup> 1895.

That Halloween night, a group of young men in their late teens and early twenties were celebrating in the downtown district of Chatham. As was the norm, liquor was in abundance, and around 10:00 pm, a disagreement broke out between an intoxicated

20-year-old named Joseph Doherty and men named Thomas Clancy and William Wright. When some of the other men present intervened to keep things from getting out of hand, Doherty stormed off in a huff towards his east-end home.

Nobody would have imagined, no doubt, that at home he would get a gun and head back downtown in search of Clancy and Wright. Before he found them, however, he came upon a group of teenagers that included Gilbert Beote, Stanley Fleiger and Arthur Luke. Being drunk, angry, and very much out of control, he got into an altercation with them which ended with him shooting Arthur Luke in the side.

Luke cried out and fell to the ground, and Doherty made a hasty exit into the shadows. Beote and Fleiger helped their injured companion get to the nearby home of a Mrs. McKendy. Meanwhile, Joseph Doherty broke into a stable belonging to his uncle, W. J. Elkin, commandeered a horse and wagon and fled town.

Arthur Luke, who was a month shy of his 17<sup>th</sup> birthday, had moved from Newcastle to Chatham three years previously when his father, William Luke, a lumber surveyor, took a job there. By all accounts the young man was fun-loving and happy-go-lucky, but on this dreadful Halloween night he was in dire agony. Mrs. McKendy made him as comfortable as possible while his friends went to get Dr. James M. Baxter. The doctor found that there were no fewer than twenty buckshot lodged in Luke's left side, and that he had organ damage. He was taken to his parents' home, where he died at 5:00 am the next morning.

An inquest held on November 6<sup>th</sup> by coroner Dr. John Ben-son heard an abundance of testimony. According to Luke's companions, Fleiger and Beote, they had encountered Doherty near Coleman's corner in Chatham. Seeing the gun in his hand and sensing trouble, they took it from him, but gave it back when they thought it wasn't loaded. This proved to be a fatal mistake. Fleiger testified that the "deplorable Doherty" then ducked into the darkness before stealthily coming upon the boys' blind flank, carefully taking aim and shooting Arthur Luke.

The police magistrate, Samuel McCulley, a zealous supporter of the temperance movement and prohibition, was determined

that Joseph Doherty be tracked down and brought to justice. Before long, Deputy Sheriff Adam Irving found him holed up in a cabin belonging to his uncle. He made a run for it, but the little deputy sheriff caught up with him and wrestled him to the ground.

Doherty was duly brought before justice of the peace G. B. Fraser for a preliminary examination. Samuel Thomson spoke for the prosecution; Hon. Lemuel Tweedie for the defence. Testimony given at the examination was more balanced than that given at the coroner's inquest. It was learned, for example, that before the shooting, Arthur Luke and his two companions had spent more than 10 minutes taunting and harassing Doherty, and grappling with him on the ground, while he was repeatedly asking to be left alone. Tweedie also provided evidence that Luke and the two other boys were engaged in serious mischief around town that night, upsetting wagonloads of firewood and throwing rocks and lumps of coal at fishing vessels.

Nonetheless, Doherty was committed to stand trial for murder. He was incarcerated for a number of weeks until his father, John Doherty, posted a \$4,000 bail bond for his release on recognizance, to appear for trial on the appointed date. However, no further documentation has been discovered on the case, making it seem probable that the charges were dropped.

#### THE STRANGE CASE OF WILLIAM ANSLOW

There have been at least a dozen documented cases of people perishing after becoming lost or disoriented in the vast wilderness surrounding the Miramichi River valley. Many of the events occurred in North Esk parish, the largest parish in the county, nearly 1,300 square miles in size, most of which is thick, trackless woodland cut through by the northeastern end of the Appalachian mountain range.

The best-known case of a disappearance in the woods is that of William Anslow, the founder, publisher, and editor of Newcastle's *Union Advocate*. A native of England, Anslow came to Chatham as a young man in 1855 with his parents and siblings. Soon afterwards, he and his younger brother James John Anslow began printing apprenticeships under James A. Pierce, editor

of the *Gleaner*. In the 1860s, they opened a printing business of their own, and in 1867, they founded their own weekly newspaper.

Fast forward 30 years, and the youthful entrepreneur has become an august 60-year-old with a game leg and an interest in partridge hunting, but with none of the outdoorsman's survival skills that were part of the DNA of Miramichi woodsmen.

On Wednesday, October 13<sup>th</sup> 1897, Anslow left Newcastle, accompanied by his son Charles, to hunt for partridge along the Little Southwest branch of the river. The two reached the home of James Foran, at the head of the Little Southwest settlement at around 4:00 pm and spent a quiet evening there. Shortly after sunrise the next morning, they set out for a locality known as Nowlan's Island. After bagging a few partridge, father and son separated with the understanding that they would both return to Foran's later that morning. Charles arrived there around noon, expecting his father would already be there. When he was not, he headed back to where they had separated, bagged a few more partridge along the way, but did not encounter his father.

When William Anslow had still not returned by suppertime, his son and the Foran family began to panic. A few other people were alerted, and a search was conducted that evening, without result. The next day, more people joined in a search under the guidance of local resident John Dennis, but no trace of the missing man was found.

On Saturday morning, October 16<sup>th</sup>, Charles went to town to notify friends and family, and on Sunday, there were more than 200 searchers, including seasoned woodsmen and Indian trackers, scouring the woods. Cedar swamps were searched extensively and men fired off continuous rounds in hope of hearing a return shot, but to no avail. It seemed as though William Anslow had walked off the face of the earth.

A public meeting was held in Newcastle on Monday the 18<sup>th</sup>, and \$50.00 was raised for a reward fund. Member of Parliament James Robinson, who had played such a prominent role in the search for Arthur Underhill, offered his assistance. However, as days stretched to weeks, interest in continuing to search dwindled, and hope of finding the editor alive was abandoned. His brother

James John Anslow published an obituary for him in the November 17<sup>th</sup> 1897 edition of the *Union Advocate*.

Nearly four years later, a stream driver named Byron Hubbard came upon an old rifle and a hat in some underbrush in the Parks Brook area of the Little Southwest Miramichi. When he also saw bones scattered about, he knew that he was looking at the remains of William Anslow. They were about nine miles from the spot where he and his son had separated and about eight miles from the closest residence. He had roughly 50 cartridges on his person the morning he got lost, but none were found with the remains. He had either lost them or used them up in an attempt to attract attention.

When word of the discovery reached town, Mayor Donald Morrison had undertaker Richard Maltby go up to retrieve the remains. Family members identified several articles found with them, including a pocket watch and chain. Coroner Dr. F. J. Desmond held an inquest at which he and jury members J. D. Creaghan, J. H. Sargeant, William Sty mist, George Stables, Simon McLeod, George Brown and Thomas A. Clarke determined that Anslow died from exposure to the elements after becoming lost and disoriented.

A largely-attended funeral service was conducted by Rev. Fletcher Perkins of St. John Methodist Church in Newcastle, with the assistance of Rev. William Aitken. Anslow's remains were interred in the family plot in St. James Presbyterian Cemetery, where a gray granite tombstone stands.

#### SHOTGUN WEDDING

The tiny community of Gray Rapids, known locally as "the Rapids," is on the Southwest branch of the Miramichi River between Renous and Blackville. A wedding celebration held there near the turn of the 20<sup>th</sup> century had a tragic outcome.

The bride was Almira Harris, the groom Howard Davidson of the Fredericton area, who worked at bridge construction for the Canada Eastern Railway Company on the line that ran between Fredericton and the Miramichi. The wedding ceremony took place on Wednesday afternoon, May 26<sup>th</sup> 1898 at the home of

William L. Curtis, a 32-year-old farmer and cousin of the bride who had recently been married himself.

At around 10:00 pm that clear, calm evening, a group of about 20 young men gathered on the roadway outside the Curtis residence to stage a "shivaree," a folk practice on the Miramichi in this period, the dictionary definition of which is "a noisy banging of pots and pans as a mock serenade to a newly married couple." In addition to pots and pans, bells, whistles, horns, bottles, tin cans, and even guns might be used to create a racket.

It is not known where the bride and groom were while the shivaree was going on, but William Curtis was in bed trying to get to sleep. When the noise didn't let up, he stuck his head out of a second-storey window and demanded that the revelers cease and desist. When they ignored him, he grabbed a shotgun that he said he thought contained blank shells, pointed it over the heads of the crowd, and fired. When this had no effect either, he pointed it at the crowd and fired again.

From the buckshot that went flying from his breech-loader, George Coughlan was seriously wounded in the abdomen, Howard Sullivan was shot in the leg and James Lynch had the top of his little finger blown off. It was 12-year-old Garfield Astle, however, who received the worst of it, being hit with no fewer than 15 buckshot.

The merriment ended. The wounded youths were attended to. Astle was taken to his home a mile and a half away, and he died there shortly after midnight of severe hemorrhaging from his left lung, before Dr. William A. Wilson, of Derby, was able to get to him.

In the early morning hours, William Curtis hitched up his horse and wagon and headed for Newcastle, where he consulted with attorney T. W. Butler before surrendering to Deputy Sheriff Adam Irving.

An inquest was held on Friday afternoon, May 28<sup>th</sup> at the schoolhouse in Gray Rapids before coroner M. S. Benson, with R. A. Lawlor representing the Crown.<sup>45</sup> David Sullivan, father of one of the wounded boys, testified that he mentioned the planned shivaree to William Curtis the afternoon of the wedding and that Curtis said: "They had better not bother me or they will get cold lead in them." It was not for a coroner's jury to rule on

premeditation or intent, but the jury found that Curtis caused the death of Garfield Astle.

Curtis subsequently appeared in police court before stipendiary magistrate John Niven for a preliminary examination and was committed to appear before a grand jury, both for causing the death of Garfield Astle and causing grievous bodily harm to the others struck by buckshot.

At a special commission of the Court of Oyer and Terminer, presided over by Chief Justice William Henry Tuck, a grand jury<sup>46</sup> was sequestered and charged with determining if Curtis would stand trial. The evidence presented was the same as had been considered by both the coroner's inquest and the preliminary examination, but the grand jury, by a majority vote, ruled, to the evident surprise of Justice Tuck, that the accused would not stand trial on either charge. William Curtis later moved to Newcastle, where he opened a store at a location now known as Curtis' Corner.

#### THE MURRAY MYSTERY

At the turn of the 20<sup>th</sup> century, for cultural and other reasons, relations were somewhat strained between the English-speaking residents of the Miramichi area and the French-speaking population around the mouth of Miramichi Bay and along the Acadian Peninsula. It didn't improve matters when a Caraquet fisherman was murdered under mysterious circumstances at a Chatham wharf in November 1898.

Captain Peter Murray (Pierre Morais), of Caraquet, was the owner and operator of a schooner from which a cargo of fish was unloaded in Newcastle on Friday, November 4<sup>th</sup> 1898. The next morning, he docked the boat at D. & J. Ritchie's wharf in Chatham. It is not clear where he spent the day, but crew members Joseph Chaisson and Peter Lanteigne stated that they saw him just after sundown in the cabin of Joe Bouthillier's vessel, which was moored nearby. His instructions were for the crew to meet back at his boat around midnight, after the turn of the tide, when they would set sail for Caraquet.

When Murray failed to show up by midnight, the men searched around the wharf with a lantern and found him near

the bow of a schooner belonging to a man named Duguay – the upper half of his body submerged in water. Dr. James M. Baxter estimated that he had been dead at least two hours. At a post-mortem examination conducted the next morning, Baxter and Dr. John S. Benson concluded that the captain had been struck violently on his left temple with a stone or some other blunt object but that this was not sufficient to have caused his death. Instead, they thought the blow had rendered him unconscious, causing him to fall backwards into the water and drown.

Coroner Michael S. Benson empaneled a jury and held an inquest.<sup>47</sup> Suspicion fell on two youngsters, Peter Lebear and Alex Doiron, and they were detained as material witnesses. Doiron was actually a nephew of the deceased, who had recently moved to Chatham. The two boys had been drinking and may have been throwing rocks at the fishermen at the wharf. It was also said that some English sailors had been teasing and mocking the French fishermen that evening.

Nothing came of any of this, the jury simply endorsing the view that Murray had drowned as a result of being struck in the head by a foreign object in the hand of an unknown person.

The consensus among townspeople was that the witnesses at the coroner's inquest were evasive, and that more was known than was divulged. According to the testimony, Murray had had only two drinks on the day of his death. When an article appeared in the *Miramichi Advance* claiming that he was intoxicated, his son, Peter Murray, Jr., wrote a letter demanding a retraction. It asserted that he was sober, but that "the thugs who killed him were as drunk as brutes."<sup>48</sup> Peter, Jr. also came to Chatham to gather information about the "murder," but nothing more occurred on the legal front.

Peter Murray, who was 60 years old at the time of his death, was survived by a wife and several adult children.

#### WARDENS VERSUS POACHERS

Serious salmon anglers everywhere know that the Miramichi is one of the world's premiere rivers for fly-fishing the Atlantic species of this majestic fish. It's cool, clear, pristine waters have

been luring anglers to its shores for generations. Unfortunately, any river boasting an abundance of salmon has to contend with that most repugnant of anti-sportsmen: the poacher. Here are two stories from over a hundred years ago of fisheries officers coming into conflict with poachers on different branches of the river.

In the late 19<sup>th</sup> century, there was a popular fishing camp at Burnt Hill, on the Southwest Miramichi, about 20 miles upriver from Boiestown. As reported in the August 24<sup>th</sup> 1889 issue of the *Fredericton Evening Capital*, on Sunday morning, August 18<sup>th</sup>, a party of sportsmen departed this camp leaving it and its salmon pools in the care of "guardian" and guide Andrew Wood. However, when Wood headed out for a supply of provisions, the place was temporarily unattended.

This provided an opportunity for a group of poachers led by Donald McCoy and Dan Moore, of Stanley parish, in York County, to get two canoes to a pool near Salmon Brook and begin spearing fish. Somehow, this was called to the attention of a fish warden named Robert Orr, who was renowned for his strictness and notorious for issuing fines and confiscating gear.

Orr set out with assistant wardens Manzer and Moore (no kin of Dan), and intercepted the two canoes in the water, loaded down with salmon. The poachers refused to let the wardens inspect their catch, stating that the fish belonged to a Mr. Lynch who had a legal right to them. It was estimated that they had upwards of 50 salmon in the canoes, many of which were nearly four feet in length and would have weighed up to 40 pounds.

When the poachers started to pole away, warden Manzer grabbed hold of one of the canoes. This prompted Dan Moore to swing an axe at him, barely missing his hand. They broke free and poled away, defying the wardens to pursue them. Fortunately, as they rounded a bend in the river they were observed by two other men in a canoe, Edgar Hanson and William Lemont. McCoy and Moore were subsequently charged and convicted, not only of violating the fishery laws, but also of assault.

Warden Robert Orr was memorialized in a Miramichi folksong written by Billy Price:

Now come all you salmon poachers who hides along the shore,  
Keep one eye always open and look out for Robert Orr,  
For if you don't you may repent, and that will be quite soon,  
He will capture you and your canoe like he did Tommy Moon (Munn).<sup>49</sup>

On May 29<sup>th</sup> 1898, Paul Kingston, of North Esk, was sworn in as a "guardian" by fish overseer John Robinson, with responsibility for patrolling a stretch of water near the Big Hole Tract that had been leased by Col. Robert Call.

On June 1<sup>st</sup>, Kingston set out in his canoe before sunrise, and between 5:00 and 6:00 am came upon a mesh net, picketed in fast-flowing rapids. As he approached it, intending to free any fish that had been caught before he seized the net itself, he saw John Hare and George Peabody standing on the shore, both residents of the tiny community of Sevogle. The exchange that took place between him and the two poachers gave rise to conflicting testimony when the matter later went to court.

Hare, who claimed ownership of the net, said he asked Kingston to leave it in place and let him pay any fine that needed to be assessed, but that Kingston had objected, saying he was obligated to confiscate the net. This was also the way Peabody recollected it, but Kingston denied that Hare said anything about leaving the net in the water or paying a fine. On the contrary, he quoted him as having said: "If you take that net you will never go away alive." Hare and Peabody both denied that any threat had been made.

In any case, Paul Kingston put the net in his canoe and continued on his way, while Hare and Peabody disappeared into the underbrush along the shore. A few moments later, Kingston encountered James Davidson, George Brown and James Whitney fishing from the riverbank. After exchanging a few words with them, he carried on and had gone about half a mile when he heard the report of a rifle and saw a bullet strike the water with a distinct splash about 25 feet from his canoe. Glancing back, he claimed he had seen a cloud of gunsmoke. The three men he had just spoken with also reported hearing the crack of a rifle.

A warrant was issued for the arrest of John Hare, who was picked up by Deputy Sheriff Adam Irving and lodged in the county jail. On June 14<sup>th</sup> he was brought before police magistrate

John Niven for a preliminary examination, at which the Crown was represented by Richard Lawlor and the defence by T. W. Butler. Testimony was given by Kingston, Peabody, Whitney, Davidson, Brown and several other residents of the Northwest area, but nobody could place a rifle in the hands of the defendant on the morning in question. Attorney Butler moved for a dismissal on the grounds of insufficient evidence, and this was granted by magistrate Niven.

As he made his way out of police court, John Hare was congratulated by friends and well-wishers.

#### MOTHER COO, THE WITCH OF MIRAMICHI

The Miramichi has its share of ghost stories, myths, legends and folk tales. Some of the better-known ones, such as that of the "Headless Nun of French Fort Cove" and the "Dungarvon Whooper" have made their way into books, but a yarn that is virtually unknown is that of "The Witch, Mother Coo."

Contrary to the claims of some folklorists, the mysterious Miramichi woman who would come to be known as Mother Coo was not of Mi'kmaq origin. She was Ellen Creighton, a daughter of William and Janet (Beatty) Creighton, who came to the Miramichi from Scotland in June 1830, according to the 1851 census. Two documents from the later period of their daughter's life state that she was born at sea. Others, including the 1851 census, state that she was born in New Brunswick.

On October 21<sup>st</sup> 1856, in a ceremony conducted by Rev. William Stewart, of St. Andrew's Presbyterian Church, Chatham, Ellen Creighton married a man named Edward Coo, a recently-widowed moulder who came to the Miramichi from Halifax. By 1861, the couple had two sons, the younger of whom was drowned in 1865 after falling off a wharf in Nelson.

The Coos were in Halifax in 1866 but were again living in Chatham in 1871, with no fewer than six children. Not long afterwards, they pulled up stakes and moved to Stellarton, the coal-mining capital of Nova Scotia, where "Mother Coo" soon gained a reputation as a fortune-teller — reading palms, tarot cards and tea leaves.

One day in the spring of 1873 a group of miner's wives came to her to have their fortunes read. After studying tea leaves she acted fearful and withdrawn, before confiding in the women that a disastrous explosion was going to occur at the Drummond Colliery in Westville, where their husbands worked.

On May 13<sup>th</sup> 1873, an explosion deep underground ravaged the mine and killed upwards of sixty men. Word of Mother Coo's prediction spread throughout the mining world, but as unsettling as people must have found it to be, most were inclined to chalk it up to coincidence.

Seven years later, however, the same soothsayer repeated the feat. In November 1880, a miner named James Lennon, employed at the Albion Mine, had his fortune read by Mother Coo and was warned to quit his underground job because an explosion would occur at the mine within days. He was said to have taken the warning to heart and booked passage on a steamer sailing from Halifax to Boston, presumably to get into another line of work. However he took advantage of a chance to work an extra day before leaving and was killed along with more than 40 other miners when an explosion ripped through the "Foord Seam" on November 12<sup>th</sup> 1880.

After her second prediction materialized, it was said that Mother Coo was shunned as a witch and rebuked from local pulpits, but she had one more card to play. In February 1891, she sent word to the Springhill Colliery that a disaster was imminent. This was the largest mining operation in Canada at the time, and mining officials took her warning seriously enough to close the mine and carry out a thorough inspection of tunnels, shoring, equipment, piping, etc. Once satisfied that everything was in top shape, the mine was re-opened. The next day, February 21<sup>st</sup> 1891, the ground rumbled some 2,500 feet down and portions of the mine collapsed, killing 125 miners in what still ranks as the worst mining disaster in Canadian history.

The 1900 US census states that Ellen Coo moved to Boston in 1888. The 1910 census gives 1890. In either case, her message to the Springhill Colliery in 1891 must have been sent from Boston. Both censuses also state that she gave birth to a total of 15 children, seven of whom were alive in 1900 and five in 1920, raising a question as to whether her capacity to bear children was why she was given the moniker "Mother."

Little is known of Mother Coo's Boston years beyond what is found in the census returns and a Boston city death certificate that shows her date of death as November 1<sup>st</sup> 1912. The certificate states that her remains were interred in Woodlawn Cemetery in Everett, Massachusetts.

### THE LEGEND OF THE DUNGARVON WHOOPER

There's a story they tell down home  
About a spirit that used to roam,  
People would come from miles around  
Just to hear that mournful sound...

From "The Ballad of the Dungarvon Whooper"  
by Gerry Morrison

The most famous Miramichi ghost story is the tale of the "Dungarvon Whooper." The name is in reference to the Dungarvon River, a tributary of the Renous River, which is in turn a tributary of the Southwest Miramichi. It was "possibly named by Mike Murphy, commonly called Mad Mike from Dungarven, County Waterford, Ireland, who is said to have shouted during a dance 'when a log drive was hung up: 'T'll make Dungarven shake'."<sup>50</sup>

In the 19<sup>th</sup> century, the deep woods through which the Dungarvon flows was dotted with lumber camps, where rugged men would spend the winter harvesting logs to be driven downstream in the spring by crews of agile, death-defying stream drivers.

The legend of the Dungarvon Whooper, the origin of which is lost in the mists of time, tells of the sad fate of a young man named Ryan, fresh off the boat from Ireland, who took a job as a "cookee," or cook's helper, in a lumber camp on the Dungarvon. It is said that he was carrying cash in a money belt, and that while he was asleep one day (the cooking staff necessarily having irregular working and sleeping hours) somebody poured boiling fat or stove oil into his ear. When the loggers returned that evening, he was dead, and his money belt was missing. There was no way of identifying his murderer. All that could be done was to bury his body in the deep woods.

During the short time Ryan was on the job, he had honed his ability to whoop to let the men know that their meal was ready, and after his death and burial, the workmen were startled by ghastly howls emanating from the woods. It was said that some of the men were so spooked by this that they fled the camp, never to return. In the years that followed, the “whooper” was allegedly heard by many a man, around a location on the Dungarvon that came to be known as “Deadman’s Spring.”

The only person known to have attached a date to the murder was the woodsman Paul Kingston (1852-1948), who claimed it occurred in 1875 and that he heard the whooping two years later while driving a team with a load of supplies to a lumber camp in the area.<sup>51</sup> Most sources suggest that the legend comes from a much earlier time.

The alleged whooping was still being taken seriously enough at the turn of the 20<sup>th</sup> century that Father Edward Murdoch, the parish priest at Renous, was said to have been called upon to perform the rite of exorcism. It was even said that he had Ryan’s remains disinterred and brought to Renous. Others contend that this and everything else about the “whooper” is fiction, and that any whooping or howling heard along the Dungarvon was never anything more than the hooting of an owl, the scream of a wild cat, or the mating call of a vixen fox.<sup>52</sup>

Local historian Louise Manny took such a view:

Possibly the awful shrieks had often been heard in the woods before the alleged murder of the cook, and were those of a screech owl, or possibly of a panther. However, the story of a murder made a most satisfactory explanation, and other bits of folklore have been attracted to the tale, like filings to a magnet.<sup>52</sup>

The legend was immortalized by Michael Whelan, “the Bard of Renous,” in a narrative poem called “The Dungarvon Whooper,” which he wrote in 1905 and first published in the *Union Advocate* in January 1912. It later appeared in his 1914 collection, *Queen of the North and Forty Other Songs and Sonnets*, and again in *The Dungarvon Whooper and other Songs of the Miramichi* (1928).

Throughout most of the 20<sup>th</sup> century, a passenger train that ran between Fredericton and Loggieville was given the name “Dungarvon Whooper.” After the service was abandoned, the caboose was parked outside the old railway station in Chatham. In the 1980s, it was converted into a tavern called “The Whooper,” which sad to say, earned a tough reputation for fights, brawls, beatings, stabbings, and shootings.

### THE CURSE OF THE COVE

Today, the French Fort Cove Nature Park is a popular recreational spot and tourist attraction. Situated between Newcastle and Nordin (both now within the city of Miramichi), the scenic cove offers miles of hiking and nature trails, an intricate system of mountain bike trails and a playground for children. In the summertime, canoe, kayak and paddleboat rentals are available, as well as a pair of zip-lines, advertised as the “longest in Atlantic Canada.” On certain summer evenings, a troupe of local actors host an elaborate and interactive walk-through of the historic cove entitled “Dare the Dark.” In the wintertime, a pond hockey tournament is usually held on the frozen-over cove.

Beneath its benign, modern façade, however, lie centuries of history cloaked in mystery, causing tales of dark deeds to trickle down through the generations to the present day.

In the 1750s, when the Seven Years War was underway between Britain and France, the French established a fort at this location, complete with a battery of cannons. From a strategical standpoint, the high banks at the cove offered the best defence to be had against the advance of British warships.

Tradition tells of the Acadians, expecting their homes to be plundered by the British, gathering up their family heirlooms and other valuables and turning them over to a young missionary nun for safekeeping.

Learning about this, two woodsmen or two British sailors accosted the young woman and demanded to know where she had concealed or buried the valuables. When she refused to divulge their location, the men murdered and beheaded her, throwing her body into the woods and her head into the murky depths of

the cove. This explains why the cove is haunted by the ghostly apparition of a headless nun.

That is a shorthand version of the legend of the headless nun – one of the best known and most enduring of Miramichi ghost stories. It would seem to be a mix of historical fact and fancy that got blended together over many years.

It has been claimed, for example, that there was a French nun based in the vicinity of the cove in the 18<sup>th</sup> century who nursed the sick and wounded, but who, far from being beheaded, lived to age 93 and was given a Christian burial on the north side of the cove.<sup>53</sup> According to oral tradition, the specter of this nursing nun appeared to residents of Rose Bank (Nordin) in the 19<sup>th</sup> century, asking that her remains be returned to her home in France.

The “headless” embellishment may have come from a tale of eight British sailors coming ashore at the cove in 1759 and being ambushed and beheaded by Acadian settlers and their Indian allies. Afterwards, the cove was said to be haunted by apparitions of “headless soldiers” firing “noiseless cannons.” In the mid-19<sup>th</sup> century, a local resident named McGraw was supposedly frightened to death by this apparition.

The “buried treasure” feature of the headless nun story may have its origin in a widespread historical suspicion that Acadian treasure was hidden somewhere around the cove before the British secured control of it. In the early 1890s, a French-speaking man named Pierre Perriau, who had “Irishized” his name into “Paddy Perry,” went digging for treasure at the cove one night after he had a dream of gold and jewels being buried there. Working by the light of the moon, he dug down until he found what he thought was a treasure chest. At that moment, a white phantom went “whooshing by,” causing him to flee. When he returned the next day, he couldn’t find the hole he had dug or any of his tools.<sup>54</sup>

Undoubtedly unrelated, but in point of fact, traces of gold were found while a well was being bored near the cove on October 7<sup>th</sup> 1897.

Most of the stories about the cove cannot be substantiated, but it is an indisputable fact that, going on three centuries, it has

been “cursed” by an inordinate number of strange occurrences, freakish accidents, and tales of restless spirits.

In the 19<sup>th</sup> century, prior to the construction of the present-day causeway that spans the cove, and the steel bridge that preceded it, the main road followed the Old King George Highway, across Crow Brook at the back of the cove and along what is now the “back road” in Nordin. William C. Gaynor stated in his *Memories of the Miramichi* that the secluded area around the old bridge at Crow Brook was a place where highwaymen lurked to ambush and rob unwary travelers.

In the 19<sup>th</sup> century, there was a stone quarry at the cove near what was later known locally as “Creaghan’s Gulch.” In the 1880s, the quarry was acquired by Charles E. Fish, a prominent Newcastle businessman.<sup>55</sup> In October of 1886, workers at the quarry unearthed a human skeleton, the identity of which was never determined.

In August of 1887, Bartibog native John Ryan was working at the quarry when a large stone above him loosened and came crashing down, crushing him to death.

In July of 1889, neighbors Tom Dohoney and James Keoghan, who lived adjacent to the cove in Rose Bank, got into a scrap, allegedly over Dohoney’s dog. Keoghan ended up stabbing Dohoney in the throat. The *Union Advocate* erroneously reported that Dohoney died from his injuries, but he survived, and the newspaper printed a retraction the following week.

In May of 1918, two young girls were enjoying a picnic at the cove with their families. When their play drew them towards the old quarry, a huge rock came tumbling down out of nowhere, striking both of them. Eleven-year-old Ethel Copp suffered a fractured skull and died eight days later.

In June of 1919, Jasper Roy, age 7, and David Butler, age 9, got into an old rowboat they found in the vicinity of the cove and accidentally drifted away from shore. This caused them to panic and jump out into deep water. A mill worker named Rufus Sullivan swam to their rescue. He and others were able to save Butler, but young Jasper Roy drowned.

Today, on the river side of the causeway that connects Newcastle to Nordin, a redbrick smokestack stands mute guard

over the cove. Erected in 1910, it is one of the most familiar of Miramichi landmarks, and the only surviving remnant of the J. D. & D. J. Buckley sawmill operation, one of many sawmills and gristmills that were operated around the cove in the 19<sup>th</sup> century and the first decades of the 20<sup>th</sup>. On Friday morning, September 29<sup>th</sup> 1922, fiery debris from this stack fell on the Buckley mill and burned it to the ground. It never reopened.

On the night of July 18<sup>th</sup> 1927, a group of friends from Millerton were returning from a baseball game in Douglastown in the back of a Chevrolet truck being driven by Leroy Betts. When they crossed the French Fort Cove Bridge, their vociferous singing and cheering raised the ire of the bridge's 75-year-old caretaker, Stephen Gillis. So annoyed was he that he charged out of his caretaker's shack with a revolver and fired two rounds at the teenagers. Annie Warren, age 17, received a bullet in the chest, but survived. Gillis stood trial on a charge of causing grievous bodily harm but was acquitted.

Two RCMP officers, Sgt. F. Lucas of the Fredericton detachment, and Cst. Daniel Miller of the Newcastle detachment, were on their way to a meeting in Bathurst on October 9<sup>th</sup> 1935, when one of the front wheels fell off their car on the French Fort Cove Bridge, causing it to careen into the bridge railing. Both were seriously injured and taken to the Miramichi Hospital in Newcastle, where Miller, who had been thrown from the vehicle and suffered a fractured skull, died five days later.<sup>56</sup>

At low tide on the morning of June 12<sup>th</sup> 1940, longshoreman Alex Vye discovered the body of Rance Williston, of Nordin, lying on the abutment of the second pier of the French Fort Cove Bridge. It was determined that the 40-year-old had fallen from the bridge, 50 feet to the rocks below and landed feet first.

One night in September of 1956, Alberta Forrest drove down to Douglastown from her home in Newcastle to pick up her 10-year-old son Wayne. On the way back up, her car missed the turn at the French Fort Cove Bridge and plunged down over the embankment on the Nordin side. Although both mother and son survived the crash, Wayne Forrest sustained a serious brain injury.

Mary Delano took her son and five of his friends for an outing at French Fort Cove on Monday, June 23<sup>rd</sup> 1958. There

was a raft near the shore, used in some capacity for the construction of the causeway which would replace the steel bridge. Ten-year-old Cecil Ronald Craik boarded the raft, and when it drifted out into the cove, he panicked, jumped overboard and drowned, despite attempts to rescue him. Passersby Robert Flett and Mary Miller retrieved the youngster's body, and ambulance attendants tried unsuccessfully for over an hour to revive him.

In the mid-1950s, Heath Steele Mines purchased much of the land surrounding French Fort Cove. An office they had there was later sold to John Jagoe, who converted it into a restaurant. Gary Matthews bought the French Fort Restaurant from Jagoe in the '60s, only to have it burn to the ground on October 13<sup>th</sup> 1973, in another cove fire. It never reopened.

On September 4<sup>th</sup> 1989, 44-year-old Ruby Martin, while on a stroll at the cove during her lunch break from work was attacked and stabbed twenty-two times by a 20-year-old stranger named Clark Hayden. If it hadn't been for the heroics of first responder Frank McKenzie, and the deft surgical skills of Dr. Jeff Hans, she wouldn't have survived the assault.<sup>57</sup>

Hayden's girlfriend had recently broken up with him, citing a quick temper and possessiveness as causes. She now had a new boyfriend with blond-colored hair, and when Clark saw Ruby Martin's blond hair that day, he said he thought she was the boyfriend. Tried and found guilty of attempted murder, he was sentenced to six years in prison by Justice Thomas Riordon.

"Battery Hill," also known as "Kethro's Outlook," on the Newcastle side of French Fort Cove, with its splendid view of the Miramichi River, is a popular venue for wedding photographs. However, in recent decades, the hill and its surroundings, have also been the site of several tragedies.

On New Year's Day 2005, on the King George Highway next to Battery Hill, Simon Savoy, a 14-year veteran of the Newcastle Police Force and recent retiree of the city's parks and recreation department, was struck and killed by a drunk driver, in a hit and run.

After spending Sunday, July 24<sup>th</sup> 2011 tubing on the Miramichi River, three friends from Dieppe, New Brunswick, stopped to

view the scenery from Battery Hill. Twenty-eight-year-old Mathieu LeBlanc was in the lead, and disregarding posted warnings of a sudden drop-off, stepped over the edge and dropped more than 60 feet to the rocky beach below. Because of the steep grade, emergency services personnel could not lift him back up to the road on top of the cliff, so he was transported by boat to nearby Ritchie Wharf in Newcastle. From there, he was taken to the Miramichi Hospital, and later to the Moncton Hospital, where he died on July 29<sup>th</sup>.

Whether or not one believes a place can be "cursed," it can do no harm to know something of the deep, dark history of the site on which today's beautiful French Fort Cove Nature Park is located.

#### THE SAD FATE OF THOMAS HURST

Today, suicidal thought or action is not automatically assumed to be a by-product of mental illness, but in the 19<sup>th</sup> century, it was believed that no sane person would commit such an act. Thus anyone who did so was usually said to have suffered a "temporary fit of insanity."

Here are two instances of reports to this effect from the 1890s, the first being from the *Union Advocate* of October 12<sup>th</sup> 1892:

Joseph Monahan, son of Mr. Michael Monahan of Nelson, between seventeen and eighteen years of age, committed suicide early on Saturday morning last. He had been complaining for several days previous of a severe pain in the head and it was feared he was taking a fever. He was seen in his bed apparently sleeping, by members of the family at a late hour on Friday night, but early on Saturday morning he was missing. He was searched for when blood was discovered just at the back door, and on further searching his body was discovered in the river. His throat had been gashed severely but hardly sufficient to cause death and from the back door he was traced to the river where his body was found. Dr. Pedolin, coroner, of Newcastle, went over and held an examination, and as the evidence proved the case to be one of suicide did not think it necessary to hold an inquest. The doctor

thinks he was temporarily insane. His remains were interred on Sunday afternoon last.

The second is from the *Union Advocate* of January 10<sup>th</sup> 1894:

Early on Monday morning last, Joseph Street, a resident of the Chaplin Island Road, committed suicide by cutting his throat. His house is about thirteen miles from Newcastle, in the parish of North Esk. He got up in the night and went out and set fire to his barn and a stack of hay, and then re-entered the house proceeding to his valise from which he took a razor and with it cut a deep gash in his throat. He then proceeded down cellar and finding the first cut on his throat not sufficient with a knife gashed it still deeper. Word was sent out to town and coroner Dr. Desmond went out. The body was examined by him, the knife still being grasped in the dead man's hand, showing conclusively how the deed was done. After examining two witnesses, the coroner decided there was no need of holding an inquest. It is thought the deceased was insane.

The most intriguing, bizarre, and heart-wrenching of the Miramichi suicides reported around the turn of the 20<sup>th</sup> century was that of Thomas Hurst, a 27-year-old who lived with his mother and a blind sister in the Roxbury neighborhood of Boston, Massachusetts. In the spring of 1901, he took a job as a clerk in the Mioussel Hotel, where he met and became infatuated with a young cashier named Victoria McTavish, a native of the Northwest Miramichi who had been living in Boston for a dozen years or so. Any feelings Hurst had for her, however, were not reciprocated. She repeatedly rebuffed him and was undoubtedly relieved, when after only a few months on the job, he was fired for ordering food for himself and signing his manager's name to the bill.

In July 1901, Miss McTavish returned to the Miramichi for a vacation, staying with her brother Donald and his family in Strathadam. Without her knowledge, Hurst decided to follow her. Arriving in Newcastle on Tuesday morning, July 25<sup>th</sup>, he made inquiries, hired a driver, horse and carriage from Doyle's stable, and made his way seven miles upriver to her brother's place.

Incensed over this, Victoria made it clear that his feelings were entirely misplaced. His response was to produce a bottle of

carbolic acid that he threatened to drink, he having threatened suicide on previous occasions as well, it was later learned. He didn't drink the acid, and she was able to calm him down and have him promise to return to Boston. She even loaned him ten dollars, since he had spent most of the money he started out with.

Frustrated and discouraged, Thomas Hurst walked the seven miles back to town. That night, he rented a room at the Waverley Hotel, where he wrote a few letters that he later discarded in the waste basket. The next morning he again hired a ride upriver, but this time he got out of the carriage and released the driver about three quarters of a mile from the McTavish home. He paid a quarter to a boy named George Sherrard to go to the McTavish home and tell Victoria that a man wanted to see her up at the road, but she had the boy return and say she wasn't there.

Soon afterwards, Hurst stepped into a grove of trees near the waterfront, about 100 yards from the McTavish home, and shot himself in the right temple with a .32 caliber revolver. A young girl, Effie Goodfellow, heard the shot and alerted Victoria. Hurst's body was found soon afterwards by a man named John Morrison. Coroner Dr. F. J. Desmond was summoned, and at an inquest he conducted the next morning, the jury ruled that Hurst died from a self-inflicted gunshot wound, for which nobody else was to blame.<sup>58</sup>

A man named John McKeen obtained the shredded letters from Hurst's hotel room and reassembled the following message, addressed to Victoria McTavish:

Dear Friend, when you receive this letter I will be dead, as I have shot myself, buying a revolver with the money, or some of the money you so kindly lent me. You should not think bad of me for my rash act, as I am in dreadful misery over thinking of your change of attitude towards me. May your sun never set. Goodbye. Your friend, even unto death. T. Hurst.

Although the *Union Advocate* originally reported that Hurst's remains had been shipped back to Boston, he was buried in an unmarked grave at St. Andrew's cemetery in Newcastle.

In a report in the *Boston Globe*, Victoria McTavish was referred to as "a faithful, exemplary young woman," while friends and family of Thomas Hurst were said to have spoken of his "severe headaches" and the fact that he had been "acting strange" lately, again advancing the notion that a sane person would not take his own life.

### THE SPIRIT OF SCULLY BEACH

The following story tells of another dreadful suicide from around the same period, this one featuring an element of the supernatural. A 1984 book on the history of Douglastown features a section of local stories contributed by older residents of the village at that time. Among them is the following account of how Scully's Beach, next to St. Mark's Cemetery, on the King George Highway, got its name:

Scully was an older gentleman who used to chase the children of the village with his cane. One day a boy went down by the barn and looked in the window. Scully had hung himself. Apparently the beach is haunted by Scully's ghost, thus named Scully's.<sup>59</sup>

The following article appeared on the front page of the January 3<sup>rd</sup> 1908 issue of the *North Shore Leader*:

Tuesday morning, about eleven o'clock, Mr. John Sculley, of Douglastown, committed suicide by hanging himself in a barn. Mr. Sculley was a native of Douglastown and had spent his entire life there. He was sixty-four years old and unmarried. Deceased had been complaining lately to Mr. Connally, with whom he resided, that he did not sleep well, but there was nothing unusual in his actions to lead them to think that he had grown worse, Mr. Sculley, some years ago, was subject to epileptic fits, from the result of which left him mentally deranged. The deceased got up at his usual hour on Tuesday morning and after doing some light work about Mr. Connally's house, it appears he went to the barn and taking a rope he got up on a nail-keg and passed it over a rung in a ladder, which was standing against the [hay] mow, bringing the rope down to another rung, he secured it fast and passed the other end around his neck. After the rope had been adjusted, Mr. Sculley

stepped off the nail-keg, his feet coming within mere inches of the floor. He was found in this position not long after and when taken down life was extinct. F. J. Desmond, M.D., coroner, was immediately notified and after making enquiries, he considered an inquest was unnecessary, as the man was mentally deranged. The funeral was held yesterday and was largely attended.

### THE GRIM LIFE OF JACK CABLE

In the eyes of his contemporaries, John "Jack" Cable was a "no-account vino," so despicable that when he was beaten up and left for dead on a frigid winter night in 1908, the authorities made no effort to find or apprehend his attacker.

Cable was born around 1870, the son of a Napan farmer by the same name and his wife Jane O'Hearn. On August 14<sup>th</sup> 1891, he married a young Bay du Vin woman named Susan McDonald, in a ceremony conducted by Rev. William Aitken, of the Presbyterian Church.

Newspaper reports indicate that both Cable and his wife abused alcohol, that she was "not all there," and that he was violent and abusive with her and their children. He was brought before the court on a charge of cruelty and domestic violence in 1898 but was acquitted. At the time, he and his wife, Susan, were living in a shack on the Bacon Road, about three miles from Chatham, with three children: Bessie 8, Jasper 4, and Charles 15 mo. They also had a son Robert, who would have been around three years of age in 1898, but he may not have been raised by them.

On Friday morning, February 3<sup>rd</sup> 1899, Susan Cable showed up at the home of a neighbor, Hugh McDonald, with blood on her face, to report that she had been severely beaten by her husband. When she left there, she went to Chatham.

The same morning, Jack headed into the woods, leaving the couple's three young children to fend for themselves. That afternoon, wearing only a thin cotton dress, 8-year-old Bessie took her infant brother Charles in her arms, and leaving her brother Jasper, age 4, behind, headed towards the McDonald home.

Snow was falling and the wind was blowing fiercely; she was exhausted, and when she was only about two-thirds of the way to her destination, she set her baby brother down alongside the trail and continued on her own. When she arrived, frigid and stuttering, she failed to mention having left Charles out along the path. It wasn't until the following day that anybody realized that he was missing. A group of men and women went searching for him on Sunday and found his frozen body where his sister had left him.

Coroner Dr. John Benson held an inquest which ruled the death an accident. His report also stated: "We strongly recommend that this case should come under the notice of the almshouse commissioners, as we believe the parents incapable of looking after the children."

This advice went unheeded, and when the 1901 census was taken, the family was still living independently, even though the enumerator noted that both parents, as well as 10-year-old Bessie, were of "unsound mind." Bessie and Jasper were still under their parents' "care" when another child, named Mary, was born in 1905.

In September of 1905, the family was once again brought before a grand jury, following allegations of abuse and neglect. The jury's finding was as follows:

In the examination of the witnesses in the case of the Cable family, we were deeply impressed, with the deplorable social conditions of the home life of [families where] evidence of cruelty to children, and threats of violence, were brought to our notice. We would suggest that the attention of the proper authorities be directed to those unfortunate social conditions in these people.

Still, it would appear that no action was taken.

The next time the family made headlines was in May of 1908, when Jack Cable was charged with having had incestuous relations with 17-year-old Bessie and was brought before the circuit court. He was ably defended by attorney T. W. Butler and released on a technicality. Apparently, Bessie had been born a few months before he married her mother and he was not

her biological father. Despite his acquittal, he was severely reprimanded by the judge for his despicable conduct.

In Upper Napan, on Friday morning, December 23<sup>rd</sup> 1908, farmer Frank Jardine was going down the road with a horse and wagon to get a load of firewood when he came upon Jack Cable, prone on the side of the road. He had been beaten senseless and left there to die. Jardine gathered him into his wagon and took him to a nearby house. Chatham Police Chief Oswald Lawson was called, and he and another police officer took Cable to the Hotel Dieu Hospital. Because he was suffering from extreme hypothermia when found by the roadside, it was thought at first that some of his extremities would require amputation. However, it would not seem that any surgery was performed.

"He had been mixed up in many unsavory cases, and so little sympathy was felt for him that no effort was made to arrest his assailants," stated the *Union Advocate* of December 23<sup>rd</sup> 1908 in an informative report on the incident. Stephen Blakeley and Samuel Cable were named as his attackers in the December 27<sup>th</sup> issue of the *Commercial World*, but the paper later retracted that information.

In 1915, the Cables' son Robert, age 20, joined the 132<sup>nd</sup> Battalion of the Canadian Expeditionary Force to serve in World War I. He was later transferred to the 87<sup>th</sup> Battalion and died in action at Vimy Ridge on April 9<sup>th</sup> 1917. The documentation on his service names his father as next of kin but his girlfriend, Mary Gladys MacDonald, as his sole beneficiary. This would not seem to have sat well with his father, who declined to accept his son's Memorial Plaque and Scroll, returning them to Ottawa unopened.<sup>61</sup>

Jack Cable died on May 11<sup>th</sup> 1939, of "uremia" and "hypertrophy of the prostate."

During the first decade of the 20<sup>th</sup> century, the town of Chatham experienced a rash of assaults, robberies, stabbings and shootings. Some neighborhoods, such as the Hill Street

district, were so lawless that the cops were reluctant to patrol there after nightfall. In his essay, "The Irish in Miramichi," William A. Spray writes: "In Chatham...the poorer Irish lived in the east end of the town on 'the Hill' which was near the mills, while the more successful Irish, the storekeepers and lawyers, lived in the west end. The east end was a very tough place...windows were often broken and challenges to fight were common...<sup>62</sup> Here are a few notes on incidents that occurred in the Hill Street district, and in and around the Chatham area, during that crime wave:

In August of 1905, two rival factions of Chinese laundry-men got into a violent feud which resulted in a man named Cato being stabbed, robbed and left for dead. Two men were sentenced to four years in Dorchester Penitentiary for that attack.

In July of 1907, 50-year-old Richard Yeo, of Prince Edward Island, was charged and convicted of sexually assaulting a 3-year-old girl in Exhibition Park. Patrick Whelan and his wife saw Yeo with the girl, and Mrs. Whelan chased him down, knocked him to the ground with a stone and restrained him until police officer Walter Coughlan arrived to arrest him!

In October of 1907, Archibald Fracker was charged with a liquor offence under the prohibition law known as the Scott Act. He took exception to this and went down to the local Temperance Hall, where he vented his fury on Alderman Jacob Mersereau. When Mersereau blew him off and walked away, he proceeded to beat the alderman into unconsciousness. For this assault, he was sentenced to a year behind bars.

On a Saturday night in September 1908, a string of burglaries was committed by a man named Paul Kingston, from Summer-side, Prince Edward Island, who had been working as a cook on a schooner docked in port.

On October 15<sup>th</sup> 1908, 57-year-old Neil Black was found beaten to a pulp on Water Street, near Barry's stone yard. He was taken to Thomas Murphy's house where his cuts and broken bones were attended to by Dr. W. S. Loggie. William Mariner, the man who assaulted him, was apprehended by Police Chief Oswald Lawson, confessed to the crime and was sentenced to a month in jail.

## HILL STREET BLUES

Just over a week later, on the night of October 26<sup>th</sup>, Clifford Casey, the manager of Babineau's Bowling Alley, while returning home in the darkness after work, was struck in the face with a rock. *The North Shore Leader* of October 30<sup>th</sup> 1908 reported that his attacker had mistaken him for a police officer, supporting the perception that there was much animosity at the time between the handful of Chatham cops and the criminal element.

Shortly before midnight on Saturday, January 6<sup>th</sup> 1912, police officer Thompson was patrolling Hill Street when he saw three men crawl out of a window in James McLeod's General Store carrying a sack of stolen merchandise. He apprehended two of them, and the third was picked up shortly afterwards. John Cripps, Herbert Gammon and George Walker received stiff prison sentences, and their removal from the scene brought to an end a recent flood of robberies on "The Hill."

On a warm summer afternoon in July 1913, two young boys were antagonizing Andrew Murdoch, a strange, reclusive man who lived in a small shanty at Murdoch's Point, about two miles below Loggieville. When the pestering youngsters refused to heed Murdoch's demand that they leave his premises, he fired on them with his shotgun, striking a boy named Clifford Murdoch in the legs and lower torso. Despite defense attorney Robert Murray pleading for leniency, citing his client's ailing health, Murdoch was sentenced to three years in the Dorchester Penitentiary.

Perhaps the most alarming incident from this period was the attempted murder of police officer Walter Coughlan.<sup>63</sup> On the evening of September 15<sup>th</sup> 1910, Coughlan was on foot patrol in the rough Hill district. Walking along St. Andrews Street, near Buckley's store, he was shot in the right leg, just above the knee. Three more shots rang out in quick succession from a dark alleyway, where muzzle flashes could be seen. One bullet pierced the shoulder of his uniform; another whistled past his neck. The newspapers reported that his service pistol was so antiquated that when he attempted to return fire, it jammed.

The wounded officer was able to limp back to the police station to get another officer to accompany him to the scene, but by the time they got there, the gunman, or gunmen, were nowhere to be seen. Coughlan had ignored his leg wound so long, that by

the time he was attended to by Dr. Arthur Losier, his boot had filled with blood.

This case was never solved, but a positive outcome was the procurement of newer service pistols for the police department. With the outbreak of World War I, many of the roughest young men in Chatham and elsewhere joined up to serve their country. A result on the home front was that the number of assaults and robberies declined quite dramatically.

### BLOOD ON THE TRACKS

Over a century ago, a strange and suspicious death occurred near the Northumberland/Gloucester county line, and according to oral tradition, it was a murder, despite the fact that it was officially deemed to have been an accidental death.

Albert McCallum was born the same year as the Dominion of Canada was formed: 1867. A millwright, originally from Nelson parish, he married a Loggieville girl, Elizabeth "Lizzie" Stuart, on January 10<sup>th</sup> 1894. When the 1901 census was taken, they were residing in Albert's widowed mother's home in Chatham parish with three young daughters. They would later have two sons.

On August 4<sup>th</sup> 1909, Lizzie McCallum died at age 36 from an unknown illness that she contracted a number of months before. All that is in the cause-of-death column in the death index is the word "decline." She was survived by her husband, Albert, and their five children.

Albert managed on his own as best he could. In early 1913, he worked for a short time for the Edward Sinclair Company, which was assisting a much larger contractor, Dominion Bridge, in the construction of a new bridge between Newcastle and Chatham Head.<sup>64</sup> That summer, with his eldest daughter, 20-year-old Lillian, taking care of her younger siblings, he went to Bathurst to work at Goodwin's Mill, and he remained employed there for the duration of the season. On Tuesday, October 7<sup>th</sup> 1913, he collected his summer's wages and around midnight, he jumped aboard a southbound freight train for a ride back to Newcastle.

The next day the body of the 49-year-old millwright was found by Gloucester Junction section men alongside the tracks near the Northumberland County line. Two key facts are that there were no signs of injury to his body, and his money was missing. His official death certificate gives the cause of death as "killed by the train," but if so, why did he have no visible injuries? Did he slip and fall from the train, striking his head? Was he pushed off? Did he suffer a heart attack? Had he been drinking? Where did his money go? An inquest was held, but no evidence of foul play was discovered, or any adequate explanation offered about what transpired. Family lore treats his death as a case of murder and robbery, but that is nine parts speculation.

#### AN ATROCIOSUS ASSAULT

On a frigid night in the winter of 1911, 70-year-old Mrs. Annie Phinney was sexually assaulted in what the *North Shore Leader* of February 17<sup>th</sup> 1911 described as one of the "most outrageous actions ever known in Newcastle."

Originally from Millerton, Annie (Betts) Phinney was the widow of Harvey Phinney, who had been in the tinsmithing business in Newcastle at one time. He later made his home in Sackville, NB, for many years, and prior to his death in 1910, he and his wife Annie were residing in Penticton, BC. Since her recent return to Newcastle, she had been living with her well-off sister Mary Isabel and her husband, Timothy W. Crocker.

At about 9:30 pm on Saturday, February 11<sup>th</sup> 1911, while walking from a friend's home to the Crocker residence, in the vicinity of the English rectory on Blarney Lane (now Thomas Street), Mrs. Phinney found herself being closely followed by a man. Startled, she stepped aside and asked the stranger if he wished to pass. Instead, he knocked her to the ground. He then climbed on top of her and roughly placed his hand over her nose and mouth with the obvious intention of molesting her sexually.

The sound of people approaching, however, caused the man to get to his feet and make a hasty retreat. Mrs. Phinney called for help, and two young women, Miss Jean Allen and Miss Mary Gifford, were soon at her side.

Mr. Crocker soon arrived also and helped her back home. Since it was a moonlit night, she could see that her attacker was a young man, maybe 20 years old, smooth-faced, and slim, standing about six feet tall. She also said his breath smelled of alcohol. Dr. Ferdinand Pedolin was called to the Crocker residence, and with him and her two young lady rescuers in the house, Mr. Crocker went out in search of her attacker.

On the street, he found 20-year-old Patrick Carroll. When he asked the young man if he had seen or heard anything suspicious, Carroll responded by saying that he had seen nothing but had heard Mrs. Phinney's screams. When Crocker saw that Carroll had snow on his coat, however, as though he had been lying on the ground, he believed he had found his sister-in-law's attacker.

Crocker then had Carroll help him seek out police officers Thomas Hill and Adam Dickson, and all four men searched the streets and alleyways. However, since Carroll matched the description given by Mrs. Phinney and had a reputation for causing trouble around town, he was arrested and jailed. He had been involved, for example, in the badgering of Newcastle merchant Michael Jardine, who had responded by shooting him in the leg with his .32 caliber revolver.

At a preliminary hearing before police magistrate Richard Maltby, Carroll was represented by R. A. Lawlor, while Robert Murray and T. W. Butler appeared for the Crown. After a number of adjournments and a session held at Mrs. Phinney's bedside, she being too ill to attend court, Carroll was committed to stand trial for assault causing bodily harm and assault with intent to commit rape. Refused bail, he languished in the county jail for three months awaiting the next sitting of the circuit court.

While the case was underway, a Mrs. Annie McLean came forward to say that she had also been chased by a strange man on the night of February 11<sup>th</sup>, in the vicinity of Falconer's carriage shop. He had fled, however, when another man approached. She could not positively identify Patrick Carroll and neither could Mrs. Phinney. Other witnesses who saw Carroll walking the streets that evening included Ethel Allison, Harvey Young, William Keating, John Jardine and O. W. Fiedler, but none of

them could place him at the scene of the crime or swear that they saw him doing anything of a suspicious nature.

So despite the best efforts of Crown Prosecutor A. A. Davidsson, the petit jury declared that Carroll was not guilty, citing insufficient evidence, and Justice Pierre Landry dismissed him.

### THE MAPLE GLEN MASSACRE

Maple Glen is an idyllic rural settlement which was carved out of the dense woods about ten miles west of Newcastle long after most of the riverside communities within the Miramichi watershed had been settled. A portion of it was once known as Sugary Settlement, or "the Sugary"; another as Vanderbeck. In 1879, it was given the strange name "Protectionville," after the protectionist policies of Prime Minister Sir John A. Macdonald. It did not become Maple Glen until 1915.

During the first two decades of the 20<sup>th</sup> century, this community had only around a dozen families, all headed by farmers except for a few who were described as woodsmen or laborers.

On April 18<sup>th</sup> 1914, Neil Mullin, an upstanding 58-year-old Protectionville farmer, set out for Nelson by horse and wagon to transact some business at Burchill's sawmill and mercantile establishment. After lunch, he did some banking and other business in Newcastle and left mid-afternoon to return home to his wife and four children.

Also in town that morning was 25-year-old Park Sobeys, ostensibly to get work gear for a stream drive he claimed he had been hired to work on. Sobeys was one whose drunken and otherwise disreputable behavior had made him the black sheep of another respected family and the bane of the Protectionville community. The previous autumn, for example, he had threatened two boys with a knife and may have done them harm had another man not intervened. Only a week ago, he had assaulted a man named Patrick Connell, and in town this morning he had tried to pick a fight with a man named Campbell.

Just before Neil Mullin left town, Sobeys came across Neil's brother Jack Mullin at the railroad crossing in Newcastle and

hitched a ride back home with him. When they neared the Protectionville turn-off, Neil's wagon was close behind Jack's, and at the intersection, Sobeys transferred over to Neil's for the two-mile ride into the settlement.

Neil Mullin sometimes hired men to do farm work, and on the way in, Sobeys asked him if he might have a job for him. Neil said he could give him a day's work the following Tuesday. Sobeys then asked when he would be paid, and Neil said he paid his help at the end of each working day. The question did not raise Neil's suspicions, but it was later speculated that Sobeys had heard that the Mullins kept a large quantity of cash in the house and that he was seeking to confirm this. As a gesture of generosity, Neil invited him to join the family for supper and he readily accepted.

While Mullin and Sobeys were putting the horses up, the two older of Mullin's boys came out to greet their father. Seven-year-old Alfred Ernest and his five-year-old brother John Henry also enjoyed the company of Park Sobeys. Neil gave the boys maple sugar taffy he had bought in town, and they sat down to eat it. The other two younger children were in the house with their youthful mother, Christie Currie, about age 29.

Mullin told Sobeys that he would be going out to milk the cows before supper, and that after supper was over, he would drive him to the small cabin further up the road that he was presently sharing with one of his brothers. So Neil went into the barn, leaving Sobeys and the Mullins' two sons in the yard.

The reality of the situation that Neil and his family were facing that day came swiftly into focus when Neil, while still in the barn, was struck from behind by a pole axe in the hands of a crazed Park Sobeys. Although badly cut, he managed to overpower the younger man, throw him to the floor of the barn, and wrest the axe from him.

Sobeys pleaded for his life, saying that he was a sick man, but insisting at the same time that it was not he, but a mysterious bearded stranger, who had swung the axe. Neil ordered him to leave the premises; then he went into the house. At the sight of her husband covered with blood, Christie Mullin became hysterical. While Sobeys was still wandering about the property mumbling

nonsense, Neil went across the road to get help from a neighbor, Lemuel Fletcher.

Christie locked her two younger children in a room and began a frantic search for the other two. She checked the well first, then the barn, then the pigpen. Then she noticed a trail of blood leading to the outhouse, and inside she found the battered remains of Alfred Ernest and John Henry Mullin. They had been hacked to death.

Christie began screaming. Neil appeared, and when he learned that the boys had been murdered, he seized the axe himself as if to do the same to Sobeys. His wife begged him to put it down and let the law deal with the murderer.

Then Sobeys showed up with a rifle that he had seized from the Fletcher home and was threatening to blow the Mullins' brains out if they implicated him in the killings. Neil, demonstrating fearless resolve, and in spite of having lost a lot of blood, charged at him and got hold of the gun.

By now, Lemuel Fletcher, who had just arrived back from town, was on the scene, as well as Neil's brother Jack, whom Christie had sent a boy to fetch. While Fletcher tended to Neil's wounds, the delusional Sobeys continued to pace around ranting about the bearded stranger. To get him off the property, Jack Mullin demanded that he come down the road with him. They hadn't gone far before they encountered two of Sobeys' half-brothers, Irving and Joseph Sobeys, who agreed to take custody of him.

Then Jack departed hurriedly for Newcastle to get Dr. Robert Nicholson. Once the doctor was on his way, Jack went to inform police magistrate Richard Maitby, Deputy Sheriff William Irving and provincial constable Adam Dickson of all that had transpired.

Back in Protectionville, Sobeys was continuing to behave erratically, carrying on about the "dark-bearded mystery man," threatening further violence, as well as suicide. He ended up in a secluded camp in the woods with his half-brother Charlie and full brother Fred Sobeys. Before legal authorities had a chance to get involved, Charlie and Fred emerged from the woods to report that Park had found another rifle and taken his own life.

Early the next day, the *North Shore Leader* dispatched a correspondent to the settlement. Although the paper did not go to press until Friday, a special edition was issued on Monday, April 20<sup>th</sup>, of which over 2,000 copies were sold. Also issued that Monday was a regular edition of the *Chatham Gazette*, containing a highly sensationalized and not altogether accurate account of the incident. The *Commercial World*, which came out on Tuesday, carried graphic descriptions of the axe wounds inflicted on the boys. When the *Union Advocate* came off the press on Wednesday, there was nothing new left to report. The story was also covered by other papers around the province.

Two tiny caskets were interred<sup>64</sup> at the Methodist cemetery in Protectionville in a ceremony conducted by Rev. Dr. William Harrison. Park Sobeys was quietly laid to rest in the same cemetery. An inquest conducted by coroner Dr. F. J. Desmond ruled that Sobeys, "contrary to the peace of Our Lord the King, His Crown and Dignity," murdered Alfred Ernest Mullin and John Henry Mullin, and then took his own life.<sup>65</sup>

A woman named Jean McDonald wrote a song about this sad affair, entitled "Murder and Suicide of Protectionville,"<sup>66</sup> and two apocryphal rumors persist about the tragedy to this day: that Christie Mullin was having a secret affair with Park Sobeys, and that Park Sobeys was murdered in the cabin in which he was said to have committed suicide.

#### THE MURDER OF CONSTABLE JOHN DEDAM

What was formerly known as the Burnt Church Indian Reserve, and now as *Esgenoopetitj*, is on the north side of Miramichi Bay about 25 miles east of the city of Miramichi, near the village of Neguac.

Over the years, many homicides, suicides, and assaults have occurred in this ancient Mi'kmaq community, but one of the earliest well-documented cases is that of the death of 32-year-old Cst. John Dedam in 1920. A native of Burnt Church, Dedam was appointed to his constabulary duties by the local band several years before he became entangled in the chain of events that led to his death.

On Sunday afternoon, November 28<sup>th</sup> 1920, local residents were partying at the home of Charles Martin when a scuffle broke out between Peter Dedam, a younger brother of Cst. John Dedam, and Charles Mitchell. Intervening on behalf of his brother, John Dedam threw Mitchell to the floor and kicked him. That ended the fight, and the Dedam brothers left. Later that evening, they returned to retrieve a coat and cap. John had left there. They left peaceably again and were walking across the Burnt Church bridge towards an aunt's house, when they encountered Frank and Peter Mitchell, brothers of Charles Mitchell, with whom Peter Dedam had been fighting at the Martin home.

The men started arguing over the afternoon's events and soon got into a brawl, during which Cst. John Dedam was stabbed in the left side, allegedly by 19-year-old Frank Mitchell. The Dedams then ran some 300 yards to the home of Mitchell Dominic, where John collapsed in the yard. Within minutes, he was dead. A post-mortem examination revealed that he had been stabbed through the left lung. The knife had penetrated his coat, three layers of shirts, and his chest wall, ending up in his back.<sup>67</sup>

Coroner Dr. F. J. Desmond went to Burnt Church accompanied by Dr. J. A. M. Bell, Crown Prosecutor T. H. Whalen and provincial constables Arthur Doran and John Fitzgerald. After learning what had occurred, the provincial constables arrested the Mitchell brothers – local Cst. John Lambert having been too intimidated to do so. A coroner's inquest ruled that John Dedam died as a result of being stabbed by Frank Mitchell, and that Peter Mitchell was an accomplice.<sup>67</sup>

A preliminary inquiry was held in Newcastle before police magistrate J. R. Lawlor, with T. H. Whalen representing the Crown and Chatham attorney George McDade the defence. The district Indian agent, Col. John Sheridan, of Bouctouche, was present, as was Newcastle Police Chief John Ashford, who took some of the more uncooperative witnesses aside to "assist them" with "recovering their knowledge of the English language." The outcome of the inquiry was that the Mitchell brothers were committed to stand trial at the January assizes of the Supreme Court.

The trial commenced on January 4<sup>th</sup> 1921, presided over by Justice Barry, with New Brunswick attorney-general J. P. Byrne for the prosecution, and attorney George McDade for the defence. John Tenass, of Red Bank, was hired as an interpreter.

At first it appeared as though the Crown had a conviction clinched. Witness Stanley Swason testified that he heard Frank Mitchell admit to stabbing John Dedam, and Peter Dedam acted confused on the witness stand. However, under George McDade's masterful cross-examination, the Crown's case began to crumble. Witness John Ginnish swore that he heard the deceased, John Dedam, in an extremely drunken state, say that he was "looking for those Mitchells" so he could "thrash them." Chatham druggist F. Arthur Mackenzie, called as a character witness, testified that both Mitchells were "honest, law-abiding intelligent men," and county jailer Irving claimed that they had been exceptionally well-behaved during their incarceration.

Both of the accused also took the stand in their own defense and proved to be "well-spoken and educated." It was said that Peter could write and speak English, French and Mi'kmaq. Frank testified that John Dedam produced a butcher knife on the bridge and chased him and his brother, swinging it at them.

After closing remarks from both attorneys, Justice Barry delivered his charge to the jury, making it clear that he expected either a murder conviction or an acquittal, there being no grounds for a manslaughter verdict in this case, in his opinion. After four hours of deliberation, jury foreman Cecil Blake announced that Frank and Peter Mitchell had been found not guilty. Justice Barry subsequently dismissed them, and they were congratulated by friends and family on the way out of the courtroom. The *Chatham Gazette* of January 10<sup>th</sup> 1921 called the successful defense another "feather in the cap" of lawyer George McDade.

However, the fact remains that somebody stabbed Cst. John Dedam to death that night.

## THE SHOOTING OF YANKEE JIM

The murder of "Yankee" Jim Ross was one of the most widely publicized Miramichi crimes of the 1920s. Reports about

it were carried in all the leading newspapers in the province, and it has had a robust afterlife. It was the subject of a 2007 volume of *La Voix du Passé*, a French language bulletin of history, genealogy and folklore in northern New Brunswick, and it is referenced in the 2011 book, *Only in New Brunswick*, by David Goss.

In 1921, a family named LaTulip was residing on a property on the Octave Breau Road in Tabusintac, near the mouth of Miramichi Bay. After losing a civil suit over their ownership of it to a man named Daniel White, they took out a \$600 mortgage on it. Their inability to make the mortgage payments led to foreclosure of the mortgage and the property being put up for auction. The purchaser was James "Yankee Jim" Ross, and on August 2<sup>nd</sup> 1921, accompanied by Elmer Munroe and Cst. Adam Dickson, he proceeded to the Breau Road to evict the LaTulips from the premises.

Although the LaTulips were upset, all parties to the eviction conducted themselves civilly. The new title holder allowed the family to have the potatoes and all the other contents of their garden except for a field of oats, and an agreement to this effect was drawn up and signed.

For advice on what their options were, if any, the LaTulips turned to a local notable named Millet Salter Stewart, a pulpwood dealer and owner of a lobster processing factory, who was a justice of the peace for Alnwick parish. During World War I, he had assisted in the prosecution of several cases under the Military Service Act which had given him a working knowledge of the law as well.

The 43-year-old Stewart was also widely known for his volatile temperament and his assertiveness. It was later learned that he was drinking heavily that day too, which may explain why the news of the family's eviction seemed to enrage him beyond reason. Although the LaTulips had not been deliberately or illegally mistreated by James Ross, Stewart swore that he would have Ross ousted from the premises.

Stewart discussed the matter with Chatham attorney Robert Murray, and whether or not he persuaded Murray that Ross' occupancy was illegal, he made preparations to go personally and make things right. He instructed a young farmhand, 16-

year-old John Savoy, to ready the wagon. His servant girl, Victoria "Torrie," who happened to be a daughter of the ousted LaTulips, did not want to go, but he talked her into it. The three set out for the Breau Road, he with rifle in hand.

Along the way, the trio met Torrie's brothers Fred and Joe LaTulip hauling a load of belongings to the family's new temporary lodging at a relative's place. Millet Stewart told them he intended to get their house back from Ross and enticed them into coming along with him and his two reluctant accomplices. When the LaTulip boys said they "wanted no part of any affairs with any guns," Stewart called them "cowardly."

Near the property, the wagon came to a stop and Stewart sent the LaTulip boys on ahead. Wanting no involvement, they kept on walking, away from the property and out of sight. A little further along, Stewart ordered young Savoy to stop the wagon again. This time, he jumped out with his rifle and instructed Savoy and Torrie to continue down the road a little way. They had gone only a few hundred feet when they heard two shots ring out.

Moments later, Stewart came back to the wagon carrying the rifle and climbed back in, saying (according to testimony given later by Torrie), "I got the bastard." They then returned to Stewart's home. The two young employees testified later that he had warned each of them separately that he would kill them if they didn't go along with his story of the day's events, or words to that effect.

The next day, the body of James Ross was found slumped down on the ground near his front gate, about 50 yards from his porch. He had been shot through the throat. A .38 caliber Smith & Wesson revolver, with one empty chamber, lay in the dirt close by. Sheriff W. F. Cassidy and Chatham Police Chief Peter Coughlan investigated and started piecing things together.

Millet Stewart was arrested, as were the three LaTulip siblings and young John Savoy. Dr. W. S. Loggie examined the body, and an unusually thorough coroner's inquest heard evidence from all the witnesses. A postponement was needed, however, when it was learned that Millet Stewart, who was on remand in the county jail, was too inebriated to attend.<sup>68</sup> The jury determined that James Ross had died at the hand of Millet Stewart,

and he was duly charged with murder. He entered a not guilty plea and boasted to the press that he would prove his innocence during the trial.

The trial got underway at the December 1921 sitting of the Supreme Court of New Brunswick with Chief Justice Harrison McKeown presiding. The prosecution was conducted by Wendell P. Jones, with George McDade, of Chatham, and Daniel Mullin, of Saint John, acting for the defence. The Crown's star witness proved to be Stewart's former servant girl, Torrie LaTulip, who testified that when Stewart climbed back into the wagon that evening, shortly after the shots had been fired, he boasted about having killed Ross.

Among the others who gave testimony were Clyde Munroe, who stated that there was bad blood between Stewart and Ross over previous financial dealings; George Murray, who stated that Stewart had a personal interest in the property in question, which contained a considerable woodlot; and Anthony Savoy, who quoted Stewart as having expressed a desire to "butcher the s.o.b." Others claimed that they had once seen Stewart point his rifle in anger at a man named Alfred Simpson. The defense tried to discredit the witnesses, including the expert testimony of Dr. Stuart Loggie. They argued that the lethal shot could have come from the tree line, or that it may have been self-inflicted.

Although the case against Stewart was strong, there was still the matter of the revolver with the one empty chamber, and the fact that two shots had been heard by witnesses. Some speculated that Stewart was fired at first and only fired his weapon in self-defence.

Stewart had trespassed with rifle in hand, and Ross was dead, but the facts were sufficiently murky that he was found guilty of manslaughter rather than murder. He was sentenced to 15 years of hard time at Dorchester Penitentiary, but much to the chagrin of the Ross family and a large segment of the public, he was released on full-parole after spending just over a year behind bars. The following scathing editorial appeared in the *Chatham Gazette* of February 6<sup>th</sup> 1923:

This case surely shows that the Department of Justice which has the power to make such releases is making a farce of prison punishment. Under what principles do in the above

case they operate and how do they arrive at their conclusions? We should clearly like to see their reasons for paroling in the above case. Here is a man convicted of manslaughter and who narrowly escaped conviction for murder. For years he terrorized his neighborhood when under the influence of liquor. And yet after one year in the penitentiary he is allowed to resume his freedom. What a farce! Our representatives should take up this matter and see on what grounds the parole was given and let the public know just what these are.

In 1930, Stewart was charged and convicted of shooting a neighbor's cow, again while inebriated. He was sentenced to five years in prison, but it is unknown how much time he actually served.

Millet Salter Stewart, who was twice married and raised a family in Alnwick parish, died in 1958, at age 82.

## TWO ATTEMPTED MURDERS IN 1922

The monastery of the Roman Catholic Order of Trappist Fathers was founded near Rogersville, close to the southern border of Northumberland County, in 1902 by a small group of monks from France. For more than a century, the monks operated a 1,500-acre dairy and poultry farm at this location, earning just enough to be self-sufficient. Their simple daily routine has been described as consisting of seven hours of work, seven hours of sleep, seven hours of prayer, and three hours of contemplation.

On August 31<sup>st</sup> 1922, their peaceful existence was upended when Rev. Timothy Augustine Jaillet, the "Abbot" in charge of the monastery, was the victim of a serious act of violence. While he was headed to the village post office that day, he was suddenly pounced upon, without warning or provocation, by a man who was standing in front of the Rogersville Parish Cemetery. The man knocked him to the ground and stabbed him in the face, just below the cheekbone, badly lacerating the inside of his mouth.

While several people in the vicinity were coming to the Abbot's aid, his assailant fled. Medical assistance was obtained. The knife wound measured about three inches long, and in the

doctor's opinion, could have been fatal had it been half an inch lower or higher.

The Abbot's attacker, who was arrested at his nearby home, was a retired 73-year-old widower named John J. Sullivan, who had four children between the ages of nine and 21. Formerly of Douglastown, he had been the section foreman on the railway at Rogersville for many years prior to his retirement and had always been regarded as a "peaceable, law-respecting citizen." When asked why he stabbed JaiIlet, he stated simply that he didn't like him. It was rumored, however, that he suspected the Abbot of having had an affair with his late wife, who died in 1920 at age 38 — a contention not advanced by Sullivan himself, nor for which any evidence has been discovered.

Charged with attempted murder, Sullivan was brought before justice of the peace J. F. Poirier for a preliminary examination in Rogersville on September 7<sup>th</sup> and was sent up for trial at the December term of the Supreme Court.

Meanwhile, another murderous attack occurred in the tiny community of Barryville, in Alnwick parish, a place once known locally by the more colorful name of "Grand Downs," some 40 miles north of Rogersville.

On Sunday evening, October 8<sup>th</sup> 1922, 30-year-old Vincent Albert and his mother were driving through Barryville in a horse-drawn wagon. Albert had heard that George Royal, a 50-year-old World War I veteran, had been bad-mouthing him, so when he saw him out in his yard, he stopped and accused him of this. Royal professed his innocence, but Albert nonetheless climbed out of his wagon and confronted him. Royal later admitted having made "two rushes" towards Albert before the younger man drew a pocket knife and stabbed him in the back, just below the right shoulder blade. Albert then climbed back into the wagon and drove off.

By the time Deputy Sheriff Arthur Doran and Dr. Francis McGrath arrived from town, George Royal was bleeding profusely. His lung had been penetrated by the 4-inch blade, and his life was in jeopardy. He was rushed off to the hospital, and Albert was apprehended and taken to the county jail. Magistrate James R. Lawlor held a preliminary inquiry in George Royal's

hospital room, while Vincent Albert was charged with attempted murder and committed to stand trial in December.

John Sullivan and Vincent Albert appeared on the same criminal docket in December before Justice Chandler, with attorney-general Byrne conducting the prosecution, Robert Murray defending Sullivan and George McDade defending Albert. Sullivan was sentenced to eight months in the county jail and ordered to keep the peace for two years. The sentence was relatively light because the jury had made a strong recommendation for mercy, citing the defendant's advanced age.

After deliberating for 90 minutes, the members of the jury for Vincent Albert's trial found him guilty of "wounding with the intent to disable" George Royal, and Justice Chandler sentenced him to two years in the provincial penitentiary, despite counsel McDade's plea for leniency on the ground of provocation.

#### THE DEATH OF MICHAEL GINNISH

Michael Ginnish was born in 1899, the eldest son of John Ginnish, from Eel Ground, and Sarah Augustine of Big Cove. When he was 17 years old he enlisted in the armed forces, with the 132<sup>nd</sup> Battalion, Canadian Expeditionary Force, based in Chatham. Along with his 15-year-old brother William, who had lied about his age, Ginnish went overseas to fight in the First World War. William was posted with the Canadian Garrison Artillery.

During trench warfare, Michael Ginnish was badly gassed and would suffer from breathing problems and reduced lung capacity for the rest of his life. Some years after the war was over, he married Elizabeth Peters and had one daughter, Theresa. He lived and worked as a subsistence farmer in Eel Ground, and at some point in the 1920s he was appointed a police constable for the Eel Ground Indian Band.

According to family lore, Michael Ginnish was attacked while responding to a domestic dispute in late 1929. He had just returned from the woods with a load of lumber when he received a report that two women were drunk and fighting over a dress.

When he tried to peacefully intercede, he was viciously struck from behind with a claw hammer. While hospitalized in Newcastle, he developed an infection, which was said to have evolved into tuberculosis, as a result of his exposure to mustard gas during the war.

Michael Ginnish was hospitalized for about two months, during which time he was treated by Dr. R. H. Morrissey. In the end, however, he succumbed to his illness and passed away on Saturday morning, December 14<sup>th</sup> 1929, at age 30. In addition to his wife and daughter, he was survived by his mother, his brother William and two sisters. His burial took place three days later, on Monday December 17<sup>th</sup>, at the Roman Catholic cemetery in Eel Ground, with Rev. O. E. Leger officiating. The Royal Canadian Legion sent a wreath, and his casket was draped with the Union Jack. His obituary in the *North Shore Leader* mistakenly listed his age as 39. For whatever reason, no mention of the alleged attack on him ever appeared in print.

### THE HUNTERS AND THE HUNTED

In the early morning hours of Monday, May 9<sup>th</sup> 1932, Wilfred Hunter was returning home after a night out in Bloomfield Ridge, four miles upriver from Boiestown, when he noticed movement inside John Hunter's General Store. Suspecting he had come upon an intruder, he sprinted to the nearby home of Judson Munn, where both John Hunter, and his clerk, Lorenzo Hunter, were boarding.

Wilfred awakened Judson Munn, as well as the two Hunters, and all four men made a beeline to the store, a few hundred yards away. Finding the front door locked, they headed around behind, but just then the front door flew open and a figure bolted for the woods. The men gave chase, with young Lorenzo in the lead with a flashlight, which he smashed over the miscreant's head. Seemingly unfazed by this, the intruder dashed towards a small bridge, vaulted the railing, and landed in thick growth beside the brook that flowed beneath it.

Two of the men scrambled down into the thicket and hauled him up to the roadway, but he broke free again, and when Lorenzo

Hunter pounced on him, he drew a pocket knife and stabbed him a total of seven times.

Other men soon arrived and helped wrestle the man to the ground. A doctor and the police were summoned, and the captive gave the impression that he was exhausted. He was given a drink and a cigarette, and when his captors' guard was down, he suddenly sprang to his feet and dove into the thick bush nearby. When the Blackville RCMP arrived, he was nowhere to be found. Dr. Walter T. Ryan arrived from Boiestown around 3:00 am and dressed Lorenzo's wounds. Although he had lost a considerable amount of blood, his injuries were not life-threatening. The burglar was identified as Charles Collins, a 45-year-old woodsmen from the Stoney Hill district in York County who had been working as a railway section man out of McGivney Station. Several months previously, he had been charged with robbing a post office in Minto – tried and acquitted due to a lack of evidence.

The RCMP organized a manhunt. The next day, Collins was reportedly spotted on the railway tracks near North Cains Station, but nothing came of this. There were other rumored sightings over the next two months, but he remained on the loose until July 16<sup>th</sup> 1932, when he walked into the office of Fredericton attorney William J. West and surrendered.

Magistrate Walter Limerick ordered him to stand trial at the next circuit of the Court of King's Bench in Fredericton on charges of assault causing bodily harm and break, enter and theft. His lawyer asked that the theft charge be dropped, but since he had taken tobacco, medicine, and other items from Hunter's store, the judge disallowed the motion. He was found guilty as charged and sentenced to serve three years in Dorchester Penitentiary.

### AN AXE TO GRIND

During the Depression years of the 1930s, the tiny "back country" community of Craigville, in Nelson parish, was the improbable location of an attempted axe murder.

Leo Butler, a 22-year-old grocery clerk from Nelson, was a frequent visitor at the home of 52-year-old William Dickson,

who had been living alone in a small cabin in the woods in Craigville since recently separating from his wife.

On Monday night, January 27<sup>th</sup> 1936, Butler paid Dickson a visit, accompanied by a neighbor of his, 27-year-old Raymond Fitzpatrick. Shortly after midnight, the three men began drinking wine, and they were soon arguing over who was the "best man" (in physical strength). It would seem that Butler, under the influence of the wine, became antagonistic towards Dickson, who responded by grabbing a broom handle and swinging it at him. Testimony in the case gave the impression that both younger men then taunted Dickson, causing him to drop the broom handle and grab an axe.

This caused Butler and Fitzpatrick to make a dash for the door, but as Butler was exiting, Dickson brought the axe down on his right temple, leaving him "cleft clear to the jawbone." According to the January 31<sup>st</sup> 1936 issue of the *Chatham Gazette*, the blade cut through his right eye socket, leaving the eye "lying out in the wound." With Butler bleeding profusely, the pair hurried back to Butler's home, three-quarters of a mile away. His father delivered him to Dr. Raymond J. Dolan, of Nelson, who called for an ambulance to take him to the Hotel Dieu Hospital in Chatham.

Dolan also notified the RCMP detachment in Newcastle, and around 4:30 am, Sgt. Peters and Cpl. Pettigrew arrested a seemingly sober Dickson at his cabin. They also collected a half-empty bottle of wine, the axe, and blood-stained clothing.

A preliminary examination was conducted by police magistrate Traven Aitken in a private room at the hospital. The session was attended by Crown clerk T. H. Whalen, Deputy Sheriff Kiah Copp, court stenographer Annie Morell and the two RCMP officers, Bedford Peters and Hugh Pettigrew. Dickson was represented by George McDade. Raymond Fitzpatrick was held as a material witness.

At police court in March, Dickson was convicted of assault causing bodily harm, but due to "extenuating circumstances," he was given a suspended sentence and ordered to enter sureties in the amount of \$2,000 to keep the peace for two years. Magistrate Aitken lectured Butler and Fitzpatrick on the dangers of badgering their elders.

## MARY JANE'S LAST DANCE

The Murray family lived in an old farmhouse at the end of a long dirt lane between Oyster River and Oak Point, about 10 miles east of the city of Miramichi. The patriarch of the family, 75-year-old George Murray, passed away from a cerebral hemorrhage in 1922, leaving behind his widow, Annie, and a number of grown-up children with families of their own. Sometime later, to help with the upkeep of the home, Mrs. Murray hired 20-year-old Mary Jane Savoy.

On the night of July 9<sup>th</sup> 1929, Mrs. Murray heard the young woman descend the stairs in the middle of the night, leave the house for a while, and then return. Early the next morning, the door between the kitchen and an adjoining shed was ajar. Wondering why, Mrs. Murray looked through the contents of the shed, and inside a barrel filled with stove ashes, discovered the body of a new-born child. In Miss Savoy's room, she also found evidence of what had occurred.

Mrs. Murray contacted the provincial police detachment based in Chatham, and Cst. H. McMahon came to the house accompanied by Dr. J. B. McKenzie, of Loggieville. A blood-stained axe was found, and it was concluded that a child born of a concealed pregnancy had been killed soon after birth. An inquest was conducted by coroner Dr. E. H. Freeman and court clerk T. H. Whalen, the finding of which was that the child's death had been caused by blows with a blunt instrument in the hand of an unknown person.

Because of her weakened condition, Savoy was allowed to remain at the Murray home for a few days to heal and regain her strength, guarded by police. She was later arrested and taken to the Newcastle jail, and at a preliminary hearing before police magistrate Arthur Demers, she was committed to stand trial for the murder of her new-born child.<sup>69</sup>

The case of *The King vs. Mary Jane Savoy* was heard during the October term of the Supreme Court, with Justice Oswald S. Crocket presiding. J. A. Creaghan acted for the prosecution and George McDade for the defence. After hearing witness testimony and the lawyers' arguments, the petit jury deliberated for only 30 minutes before returning a unanimous verdict of not guilty, by reason of temporary insanity.

However, this was not the last that the justice system would hear of Mary Jane Savoy. Roughly eight years later, when she was 28 years old, she faced similar charges with respect to a child born to her on October 4<sup>th</sup> 1938. At that time, she was living at Rivière-des-Caches, about 30 miles northeast of Newcastle, on the road to Tracadie.

This time, it was known that Savoy had given birth sometime in early October, and when nothing had been seen of the baby after a number of weeks, members of the Neguac RCMP detachment became suspicious. When Sgt. B. G. Peters and Cst. Robert Woods spoke with Savoy, she admitted that she had given birth but claimed that the baby was stillborn. She said the remains had been buried in a local cemetery, but the police later found the child's body wrapped in a blanket in a shallow grave in the woods, under rotted logs and leaves, not far from where Savoy was living. A post-mortem examination conducted by Dr. J. A. M. Bell determined that the infant had been born alive.

A preliminary inquiry was held in Newcastle before police magistrate R. T. D. Aitken, who ordered that the accused be tried under the newly-implemented *Speedy Trials Act*. On November 25<sup>th</sup> 1938, she came before the court charged with the concealment of the birth of an infant and criminal negligence in failing to get medical assistance. After the testimony of ten witnesses was heard, Judge J. L. Ryan found her guilty as charged and sentenced her to two years of incarceration at the Home of the Good Shepherd in Saint John. The infant's remains were interred in St. Mary's Roman Catholic Cemetery in Newcastle.

distance from Boiestown. On the night in question, 9-day-old Laddie Bamford was in bed with his mother, 21-year-old Anna May Bamford, and his 41-year-old grandmother, Hazel Irene (McLellan) Bamford. The infant was reportedly crying all night long, and at some point he was said to have been smothered to death by his grandmother. An inquest was held in Doaktown at the home of police constable McLaughlin, where it was determined that the death of the infant was intentional.

Because she had been bedridden with a heart condition since July, Hazel Bamford was unable to attend the circuit court in October. Nonetheless, the evidence in the case was presented to a grand jury and a true bill delivered.<sup>70</sup> Justice Fairweather then set the case over until the next circuit court, in May of 1942.

That court opened on Tuesday, May 26<sup>th</sup> 1942, with Justice A. T. LeBlanc presiding. The Bamford case was the only one on the docket, and Crown Prosecutor J. Edward Hughes and defense counsel Ewart C. Atkinson asked that the trial be set over until June 16<sup>th</sup> to allow time for the selection of a petit jury.<sup>71</sup> Justice A. T. LeBlanc set bail for Bamford at \$5,000, which was put up by Dow C. Hovey and William T. Griffin, both of Ludlow parish.

At her arraignment, Hazel Bamford, who was described as "frail" in newspaper coverage of the case, pleaded not guilty. The first witness, RCMP Sgt. J. J. Oakes, summarized the evidence given at the preliminary examination the previous year. Anna May Bamford, mother of the deceased baby, and daughter of the accused, said:

...[M]y mother slept in the same bed with me and the child on the night of April 27<sup>th</sup> and the baby fussed a lot that night and my mother tried to comfort the baby by holding him in her arms...I did not see anything happen myself nor did I hear anything. I can't remember any conversation I had, if any, with my mother...

The accused sobbed throughout most of the 3-day trial, which ended with a not guilty verdict. It was felt that the jury's decision to acquit was influenced by the testimony of Dr. J. B. Hamilton, of Doaktown, who told the court that Bamford had been suffering from an illness that he felt rendered her "not responsible" for her actions.

The grandmother's alleged crime occurred on the night of April 27<sup>th</sup> 1941 at a locality known as McCarthy's Pit, a short

#### THE BAMFORD MANSLAUGHTER CASE

In October 1941, with World War II raging overseas, the Court of King's Bench criminal docket for Northumberland County was the largest in many years. Justice J. H. A. L. Fairweather presided over trials for theft, adultery, conspiracy, and one for manslaughter against a grandmother accused of killing her grandson.

## THE UNSOLVED MURDER OF PERCY DOAK

Canadians had cause for celebration in the early fall of 1945. After six long, grueling years World War II was finally over, the Axis forces defeated. To the home front, soldiers were returning in droves. National morale was soaring, the economy was booming, families were reunited and the "baby boom" was about to commence. It was during these joyous times that a senseless act of violence would horrify the Upper Miramichi district.

Percy Wilmot Doak, and the old General Store that he owned and operated, were both fixtures in tiny McGivney Junction, which is located along the main line of the Canadian National Railway, approximately 30 miles northeast of Fredericton, within the parish of Stanley in York County. The 58-year-old shop-keeper was a good-living Baptist and a doting grandfather. He had married Maudie Miner of Ludlow in September of 1911 and sired three children, while working as a railway section man. By 1945, his grown son Bernard and his family lived adjacent to the long-standing structure that doubled as Doak's home and business.

Doak's country store was in an area that was unaccustomed to crime, but since it had been robbed in 1943, he had gotten into the habit of taking extra precautions. Robbery was rare enough, but murder was completely foreign to this peaceful little hamlet. All of that changed in the early morning hours of October 1<sup>st</sup> 1945.

Shortly after midnight on that date, an unknown man knocked on the door of Doak's store. When Doak called out to ask who was out there, a voice said "Bernie," pretending to be Doak's son. The man said his young daughter was sick and needed medicine. Doak later stated that he did not recognize the voice, and being near-sighted, saw only that the unknown man was wearing khaki-colored pants.

Sensing that his ruse had failed, and fearing perhaps that Doak would have recognized him, the man raised a rifle and fired through the screen door. Although Doak was injured, he grappled with the man in the doorway and took a second bullet before the intruder ran off and vanished into the night.

Across the field in their own home, Bernie Doak and his wife heard the two cracks of rifle fire, and when they went outside to investigate, they encountered Percy stumbling towards their house, badly wounded. He had been shot in the stomach and in the shoulder. Since there was no telephone service in the community at that time, help had to be requested via railway telegraph. Soldiers at a nearby Army Garrison responded and administered morphine to the victim.

Meanwhile, an ambulance was dispatched from Fredericton, 30 miles away, with an intern on board. Doak was taken to the Victoria Public Hospital in the capital city, but he had been mortally wounded and died there 10 days later.

It was subsequently revealed that there had been sightings of a strange automobile in the McGivney area that night with three unknown persons in it. The murder weapon was later found at a nearby boarding house, but there were too many men coming and going for a suspect to be identified, in spite of the fact that numerous individuals were questioned by the authorities. It was thought to have been more than coincidence too that, on the night in question, Percy Doak had several hundred dollars on his person. Since the money was not taken, however, it could not be stated with certainty that the intruder was aware of this.

Sadly, the murder of Percy Doak has never been solved. All these years later, it still remains an active file with the RCMP's cold case division.

## BLOODSHED IN BLACKVILLE

Earl Smith was living in Bathurst and working at the Bathurst Pulp Mill in 1943 when he met and married Peggy Barker, a hairdresser formerly of Saint John. Soon after, the pair brought a daughter named Lynne into the world. In the spring of 1945, the young family moved in with Smith's elderly invalid mother, who lived in an old two-storey farmhouse at a locality known as Smith's Crossing, about a mile from the village of Blackville. Forty-year-old Smith went to work for the naval ammunition storage depot in Renous.

On Thursday, October 9<sup>th</sup> 1945, Earl Smith's wife Peggy went to Bathurst to visit with friends, and he stayed home from work to care for their infant daughter and his bedridden mother, Margaret, the 75-year-old widow of Mortimer Smith. Earl's brother James Smith, who lived on a farm directly across the road, spoke with Earl that morning at milking time, around 7:00 am. Everything seemed to be all right as usual.

At roughly 5:30 pm that afternoon, when James Smith came over to the old family home to see his brother, he discovered the dead body of his little niece, Lynne, lying on the downstairs couch. She had been shot in the stomach. Upstairs he found his mother shot to death in her bed, and on the floor nearby was the body of his brother Earl, shot through the throat, still clutching his antiquated .45-90 caliber rifle in his hand.

Cpl. Leonard Copp of the Doaktown RCMP detachment was called to the grisly scene and quickly recognized it as one of murder-suicide. The coroner, Dr. J. B. Hamilton, estimated that the victims had been dead for roughly 10 hours, meaning that the shootings must have taken place that morning shortly after James spoke with Earl in the barn.

A coroner's inquest was conducted the following day at the public hall in Blackville.<sup>72</sup> The witnesses included Peggy Smith (who had made a speedy return from Bathurst), Cpl. Leonard Copp, James Smith, another brother named Charles, and Dr. John Beaton, Blackville physician, who had evidently treated Earl Smith for some recent health issues.

The jury ruled that Smith had used the rifle to kill his daughter and mother and then turned it on himself, in what they judged to be "a fit of mental derangement." It was felt that the stress of looking after his invalid mother, coupled with his own health concerns, had driven him to commit these desperate acts.

The triple funeral, one of the largest that Blackville had ever seen, was held at Holy Trinity Anglican Church on Sunday October 7<sup>th</sup>.

**FATAL FAMILY FEUD**  
Archibald "Archie" Russell, an employee of the New Brunswick Electric Power Commission, and Mary Esther Glidden were

married in 1932. They settled in Lower Newcastle and had eleven children, including two sets of twins. In the winter of 1953-54, their home was partially destroyed by fire, but even greater hardship and heartache lay ahead.

On Wednesday evening, June 2<sup>nd</sup> 1954, Mary Russell went to the home of her friend, Mrs. Bruce McKinnon, to have her hair done in preparation for the upcoming wedding of a niece. When she returned home at around 11:30 pm, her 16-year-old son William asked her to go with him to a party that was going on at her brother Elmer Glidden's place. Mary's 22-year-old son, Floyd Russell, had been there all evening, and William had been there too until coming home to get his mother.

Elmer Glidden was a 50-year-old World War II veteran who did woods work but was currently unemployed. His nephew Floyd was also a veteran, having spent 18 months in Korea with the Princess Patricia's Canadian Light Infantry. Both men were known to grow quarrelsome when under the influence, and this was the concern that caused William to come for his mother.

The concern was fully justified, because when Mary and William arrived, a fierce fight was underway between the uncle and the nephew in the Glidden yard. Instinctively, Mary stepped between them to break it up, but a knife was produced, and she was stabbed in the chest.

All three were taken to the Miramichi Hospital, where Floyd and Elmer were treated for superficial stab wounds. However, as confirmed by Dr. R. B. Mackenzie, Mary was dead on arrival. Her body was guarded by police Cst. C. B. Dawn until morning, when it was taken to Saint John for a post-mortem examination. The finding of the autopsy was that a knife had entered her chest just below the left breast, penetrating her heart.

Early the following morning, when RCMP Cpl. A. Mullen Hughes went to Elmer Glidden's one-room frame house in Millbank to arrest him, he found him passed out on a couch, still in a "drunken stupor." However, he got him to his feet and dragged him off to the county jail.

Coroner Dr. E. H. Freeman empaneled a jury<sup>73</sup> which found that Mary Russell had been killed by a stab wound from an unknown person, believed to be Elmer Glidden.

A preliminary inquiry conducted before magistrate John Morrissey heard testimony from William and Floyd Russell and others who had been at the party. Floyd had arrived around 7:00 pm, and after seating himself on a case of beer, was offered drinks by his uncle. He later left for a while, returning around 11:00 pm with his younger brother, William, and family friend, Billy Gordon.

When guests named Chaisson and McGraw got up to leave around 11:30 pm, Glidden's wife indicated that she wanted everybody else to clear out as well. Floyd took exception to this, and tension mounted. Glidden reached for a knife in the kitchen cupboard, and two men from Allardville, Frank Blanchard and Alexander Gionet, offered to escort Floyd off the premises. Floyd said there were "not enough men [there] to put him out," but he was soon outside the house, at least, near the well pump, fighting violently with Blanchard and Gionet. When Floyd bit Gionet, he retaliated by striking him with a board, kicking him in the small of the back and knocking him into the mud. This was when William left to get his and Floyd's mother.

At some point during William's brief absence, Floyd punched his fist through a window in Elmer's house. According to Blanchard's testimony, it wasn't until then that Elmer became angry. He said that when Mary arrived with William, she attempted to calm Floyd down and persuade him to leave. He got into the driver's seat of his car and started the engine, but when he saw Elmer walking towards the car, he shut it off and got out to confront him.

Elmer had a knife in his hand. During the confusion, Floyd staggered backwards and Mary walked towards her brother saying "Elmer, this is me, not Floyd." Immediately afterwards, she was heard to say "Elmer, you've stabbed me!" Floyd and Elmer then began to grapple on the ground, and Mary fell on top of them.

William testified that he grabbed the knife, and that when he did, the blade was in Floyd's hand and the hilt in Elmer's. The stabbing occurred about 60 feet from the Gliddens' front door, out of reach of the dim porch light.

With the help of Billy Gordon, William helped his mother into the car, and Floyd climbed into the driver's seat. As he was

speeding through Douglastown, Mary spoke her final words: "Don't drive too fast son." By his own later admission, Floyd was in and out of an alcoholic black-out that night and could only recall fragments of what occurred.

T. H. Whalen and H. W. Hickman served as Crown prosecutors at the preliminary examination, while Paul B. Lordon represented the defendant. Frank Blanchard testified that Floyd Russell had "crashed the party." He later left, and up until the time of his return at around 11:00 pm, things had been cheerful, with singing and joking. After he came back, and before all the trouble started, he had been drunkenly teasing Alex Gionet.

Elmer Glidden's 17-year-old daughter Marie testified that her father had followed Floyd Russell outside and to the car, insinuating that it was he who had instigated the confrontation that cost her Aunt Mary her life. When defence counsel Lordon asked Floyd why he had gotten out of his car to confront his uncle, he said he wanted to "talk things over" with him. Lordon also asked about allegations made by Elmer's wife and daughter that Floyd had threatened Blanchard and Gionet that very day, before the hearing, but he denied having done so.

William Russell identified the murder weapon as one given to Elmer Glidden by an airman. He said he recognized it because it contained "a gadget for removing fish hooks." RCMP Cpl. R. D. Walker presented photographs of the crime scene, along with the facts concerning measurements taken.

The outcome of the preliminary examination was that Magistrate Morrissey committed Elmer Glidden to stand trial for murder at the October sitting of the Supreme Court, Queen's Bench Division. Paul Lordon moved to have the charge reduced to manslaughter, but this was denied, and Glidden was remanded to the county jail to await the fall assizes.

Meanwhile, on June 6<sup>th</sup> 1954, 40-year-old Mary (Glidden) Russell's funeral was held at Sts. Peter and Paul Roman Catholic Church in Barribog, with Father E. J. Connors officiating.<sup>74</sup> Besides her husband, she was survived by her eleven children, ages 4 to 23.

The month after his mother's death, Floyd Russell was convicted of stealing a 45-gallon drum of gasoline from the

yard of the British Canadian Oil Company in Millbank and was sentenced to two years in Dorchester Penitentiary. Around the same time as he was being sentenced, his uncle Elmer Glidden escaped from the county jail! He had been visited by his wife, Odille, and two daughters on Tuesday afternoon, July 20<sup>th</sup>, and the jailer, Harvey Tozer, saw him in his ground floor cell at 9:15 pm that evening, but by 8:30 am the next day he was gone. One of the bars in his window had been sawed away. The slight, 135-pound war vet had escaped through an opening 7 1/4 by 16 inches. He dropped six feet to the ground and scaled a woodpile to climb over the perimeter fence. The alarm was only raised when someone recognized Glidden near the Newcastle wharf the next morning and later asked a policeman if he had been granted bail.

Later that day, 16-year-old Alyre Basque spotted him in a swampy area known as Big Brook, near the McHardy Road in Millbank. In a heavy rainstorm, RCMP canine-handler Cpl. B. A. Wright and his German shepherd "Silver" cornered him. Soaked to the bone, he surrendered without incident. He had gone to a house in Millbank to ask for matches, leaving enough scent behind for Silver to pick up.

Glidden was grilled by RCMP inspector J. A. A. Thivierge but refused to divulge any information regarding his escape. Whether or not jailer Harvey Tozer was culpable in any way is not known, but he was replaced soon afterwards by Joseph Hanley. Glidden was relocated to the more secure Saint John jail to await his day in court. His trial before the New Brunswick Supreme Court got underway on October 5<sup>th</sup> 1954. A grand jury found "no bill" on a charge of murder but delivered a true bill of indictment for manslaughter. Subsequently, he was found not guilty of manslaughter either and was cleared of all charges.

This sad story might have ended here, were it not for the fact that Glidden was seeking retribution against his nephew Floyd Russell, who had gotten out of the penitentiary early and was staying with his grandmother, Mrs. Lewis Glidden, in her home off of St. Andrews Street in Chatham. On Sunday afternoon, April 3<sup>rd</sup> 1955, Elmer Glidden, with a .38 caliber revolver concealed on his person, showed up there to confront Floyd.

The two were arguing in the yard before entering a shed, where three shots suddenly rang out. Floyd was hit twice, in the

head and shoulder, and Elmer was shot in the left side of his chest, above the heart. Family members loaded Floyd into a car and took him to the hospital, while an ambulance was called for Elmer. Both victims of what was obviously an attempted murder-suicide arrived alive at the Hotel Dieu Hospital in Chatham, where their wounds were attended to by Dr. J. P. Losier.

RCMP Cpl. Richard Lea was assigned to conduct an investigation. Glidden was escorted to the Centracare facility in Saint John by Deputy Sheriff Kiah Copp for a 30-day observation. After he was deemed mentally fit, he was brought before Deputy Magistrate Frances L. Fish, who ordered that he stand trial for attempted murder that June.

While in the Miramichi Hospital because of complications from his bullet wound, Glidden made another escape attempt. Wearing only a johnny-shirt, he jumped from a second storey window, breaking his arm in the fall. He was apprehended by RCMP officers 50 minutes later in a nearby storehouse.

A grand jury<sup>75</sup> delivered a true bill of indictment for the attempted murder charge. Justice W. A. I. Anglin presided, while the prosecution was conducted by W. H. Davidson. Glidden had no legal counsel, so attorney A. P. Tracy-Gould was assigned to defend him.

The star prosecution witness was ballistics expert Cst. Donald E. Champagne, who proved that Glidden's pistol had fired each of the shots. Defence counsel Tracy-Gould used a "temporary insanity" defence. After closing remarks, the jury deliberated for just over an hour before returning a guilty verdict. Then Justice Anglin sentenced Elmer Glidden to 15 years in Dorchester Penitentiary. Only a few years of his sentence had been served by January 21<sup>st</sup> 1958, when he died in the Campbellton Provincial Hospital of acute coronary thrombosis, at age 53.

#### SUDDEN IMPACT

The Miramichi Hotel, located on what is now Newcastle Boulevard in Miramichi is a venerable institution. Built in 1904 by Thomas Foley and opened for business in 1905, the hotel was one of the most luxurious in northern New Brunswick. It

changed hands more than a few times before William McCombs purchased it in 1949. Seventy years later, it is still owned and operated by the McCombs family. Located on the ground floor is the infamous Black Horse Tavern. Founded in 1963, the Black Horse is thought to be the longest-running tavern in New Brunswick.

The building has long been the site of brawls and general rowdiness. During a particularly wild melee in 1992, a rookie cop pulled his sidearm and fired off a round up through the ceiling of the tavern, unaware that there were apartments on the three floors above! Fortunately, no one was hurt.

In 1955, the hotel was the scene of a strange death. William Thomas Ramsay was born August 12<sup>th</sup> 1910, the son of Red Bank merchant William John Ramsay and his wife Louisa Florence Mullin. On February 22<sup>nd</sup> 1939, William T. Ramsay, who was working as a truck driver, married Gertrude Ford Hopkins, a divorcee of nearby Whitney. Soon after they were married, they had a son named Jackie. After 15 years of marriage, they separated in 1954.

On Monday night, February 21<sup>st</sup> 1955, the eve of what would have been their 16<sup>th</sup> wedding anniversary, Ramsay went to the rented dwelling near the Miramichi Hotel where his estranged wife, Gertrude, and their son were living. He waited there for over an hour for her to return from visiting with friends. Soon after she got back, she called the police to complain that Ramsay was "bothering her," but before the police arrived, he left and went to the Miramichi Hotel.

There he called on Ernest Canon, who had a room on the 4<sup>th</sup> floor. They had a few drinks, but Canon later claimed that Ramsay spent most of the evening looking out the window, which had a view of the place that Gertrude was staying. Through the open window, he also engaged in back and forth banter with someone on the street. A noise complaint was filed with police, and RCMP Cst. Barrette showed up at Canon's door.

When the constable was leaving, at about 2:30 am, Ernest Canon followed him down the stairs to the lobby to purchase a package of cigarettes. When he returned to his room, he found the door locked. After repeatedly knocking and shouting and

receiving no response, he went back down to the lobby to get the night clerk to open the door.

The clerk, Charles McCombs, went up with his pass key, and the two entered the room, only to find it empty. The window, which was only 20 inches up from the floor, was wide open, and the small, four-legged table that had been standing in front of the window was missing. Canon claimed that the window had only been open six inches prior to his departure. The only trace of Ramsay left in the room was his hat.

Back down on the ground floor, McCombs glanced out the dining room window, directly below Canon's room, and saw Ramsay in the alleyway outside, lying in a pool of blood on the hard-packed snow. The small table from Canon's room was there also, smashed to pieces. Ramsay had fallen about 50 feet from the top-floor window and died instantly on impact, the result of a fractured skull.

Cst. Barrett was called back to the hotel to begin an investigation, and the next afternoon an inquest was conducted by coroner Dr. E. H. Freeman and Crown clerk T. H. Whalen. Gertrude Ramsay testified that she had been watching her husband at the window until about 2:30 am but hadn't seen him fall. She said the lights in the room had been turned off and on numerous times throughout the evening, and that the window had also been opened and closed several times. She also swore that she had witnessed her husband and another man arguing fiercely with each other in the room, and that the other man had been gesturing angrily.

Gertrude claimed that the room was in darkness after 2:30 am but that she had seen what appeared to be the beam of a flashlight circling around inside. Her testimony was largely contradicted by Ernest Canon, the only witness who was actually known to have been with Ramsay that night.

The coroner's jury could not determine if Ramsay's demise was accidental, a suicide or foul play. The jury recommended that the case be taken over by the department of the provincial attorney-general, and that it continue to be investigated by the RCMP. The only other document obtained concerning it, however, is Ramsay's death certificate, on which his cause of death is given as "accidental." Unsubstantiated rumors persist that

Ramsay was involved in an illegal poker game on the night of his death, held in the Miramichi Hotel's third floor cardroom.

William Ramsay's funeral was held at St. Stephen's United Church in Red Bank on February 24<sup>th</sup> with Rev. Frank Roebuck officiating. The pallbearers were Don and Willis White, Murdock and Seaman Bryenton and Harry and Eugene Matchett.

### WHISPERS OF MURDER

Norman L. Clark was born February 2<sup>nd</sup> 1893 to David Clark of Lower Newcastle and Margaret Davidson of Burnt Church. Norman was making a living as a fisherman when he married Clara Currie at the Presbyterian Church in Loggieville on August 29<sup>th</sup> 1921. Clara was from Millbank, the daughter of James Currie and Connie Kilpatrick.

Norman Clark was already widowed when he died at the age of 62. He was found with a noose around his neck, hanging from the rafters in his barn on September 19<sup>th</sup> 1955. Coroner Dr. E. H. Freeman signed off on his death certificate, giving the cause of death as strangulation from suicide. It wasn't long, however, before rumors began to circulate about the case. It was said that Clark had been found hanging in his sock feet. Suspicion was aroused when it was reported that his feet were clean and bone-dry, but that it had been raining continuously for days prior to the discovery of the body. No shoes were found in the barn, so how did Clark get from his house to the barn without wetting and muddying his socks?

It was whispered about that Clark had been romantically involved with several married women, raising a suspicion that he may have been murdered by a vengeful husband, and that the murder had been made to look like a suicide. Certainly, adultery was not unknown during both world wars, when countless servicemen were deployed overseas for lengthy periods of time. Allegedly, Clark had been drinking with three or four companions the night before he was found dead, possibly making suspects out of them. It was also said that he had earned a substantial amount of money that day, which could have made him a target. He reportedly acted as a middle man, buying harvested Christmas

trees from a lot in nearby New Jersey, NB, and selling them in bulk to vendors in Boston at premium prices, and the money he was rumored to have had on his person that day was never found.

Norman Clark's family was so convinced that he didn't commit suicide, but was a victim of foul play, that they hired a private detective to conduct an investigation. Unfortunately, any facts that the detective may have unearthed were never divulged to the public. It may or may not be significant that no legal action ensued. In any case, it seems as though the events of that long-ago rainy night are destined to remain a mystery.

### THE CASEY TIRE SHOOTING

Esson Casey, a husband to Ellen Walsh and a father of nine children, established a service station in Newcastle in 1952 which has since become a Miramichi institution. As of 2019, "Casey Tire" has been in operation for 67 years, still at its original location on "Mitchell Street," now part of Newcastle Boulevard. At approximately 7:00 pm on Wednesday, October 26<sup>th</sup> 1955, a shooting occurred at this garage that would haunt those affected by it for years to come.

The victim of the shooting was George Girouard, age 24, originally from Nelson but then living in Douglastown with his wife, Elaine Matthews, and two children: Deborah 5, and Robert 1. He had returned the previous day from working several months in Toronto and stopped at Casey Tire to buy brake fluid. He was standing at the counter near the back of the shop, waiting for Esson Casey to get the fluid out back, when a 16-gauge shotgun slug flew through the building's six-paned east window and struck him in the back. Ten minutes later, at the Miramichi Hospital, Dr. J. L. Giovannetti pronounced him dead.

The initial investigation was conducted by Moncton's RCMP criminal sub-division, under inspector J. R. Roy. RCMP canine-handler H. K. Burkholder and his dog "Ranger" were assigned the task of tracking down the spent shotgun cartridge outside of Casey Tire but failed to find it. A theory that the shooting had been accidental was quickly ruled out.

George Giroard's funeral service was held at St. Patrick's Roman Catholic Church in South Nelson, with Rev. John F. Ryan officiating, assisted by Rev. Yvon Sirois and Rev. Robert Gratian. The pallbearers were Edgar Ferguson and Alphonse, Louis, Stafford, Burt and George D. Giroard.

Several residents came forward to say that they had seen a young man in the vicinity of the garage that night carrying a long-barreled shotgun. He was described as being in his 20s and wearing an army-style windbreaker and peaked cap. It was soon common knowledge that the gun carrier was a 19-year-old local man named John Kitchen.

Coroner Dr. E. H. Freeman, who had sent Girouard's body to Moncton for a post-mortem examination, empaneled a jury and opened an inquest into the cause of his death on Monday morning, November 14<sup>th</sup>. The jury sat for three days, during which time Crown clerk T. H. Whalen led the questioning of eleven witnesses.

Mrs. Doris Goodfellow, a resident of McCallum Street, testified that she had seen John Kitchen on the night in question carrying a shotgun on the sidewalk in front of her house. Ronald Cormier testified that he had seen a man with what appeared to be a shotgun at Hennessy's corner, near the junction of Jane and Mitchell streets. Although Cormier lived next door to the Kitchen family, he could not swear that this was John Kitchen.

Onosphore Aube and his young son, Guy, had been at Sydney Hanscom's garage having the brakes on Guy's truck adjusted the evening of the shooting. They both claimed that there was a young man fitting Kitchen's description, appearing somewhat inebriated, pacing around the garage, holding what they thought was a shotgun. Guy pointed to John Kitchen, who was present at the inquest, as the man he had seen.

Earlier in the afternoon on the day of the shooting, George Girouard and his brother Ernest had been at Hanscom's garage as well, working on the rear end of George's car. They both returned that evening around 6:30 pm to work on the car's brakes. This was shortly after the man with the shotgun had left Ernest, a meat cutter by trade, testified that his brother went over to Esso Casey's around 7:00 pm to get some brake fluid. He had only been gone five minutes when the shot rang out. A

boy came running into Hanscom's to tell him what happened, and when he got to Casey Tire, he found his brother lying on the floor in a pool of blood.

A young man named Charles Beaulieu, a resident of Little Bartibog, and a forestry student at UNB, testified that he had seen a man on the street near Casey Tire carrying a shotgun. When T. H. Whalen asked him to point the man out, he couldn't do so. Only then was it discovered that John Kitchen was no longer in the room! Police soon tracked him down, however, and he was detained as a suspect for the remainder of the inquest.

Kitchen's only sibling, a brother named Berval, was detained as a material witness and gave evidence that seemed detrimental to his brother's case. The brothers both lived at home with their parents, Mr. and Mrs. Willard Kitchen. Berval stated that he left home at 6:00 pm that day and walked to the Newcastle post office. On his way back 10 minutes later, he met his brother, whom he thought was hiding a quart of beer under his coat. When they reached the Kitchen home, John asked Berval to enter through the back door and then unlock the front door so he could go in that way. Once inside, John went upstairs.

Berval left the house again at 7:20 pm and walked to the Sinclair Rink, where he had a job cleaning the ice after hockey practice. He said he learned about the shooting while still at the rink, around 8:15 pm. After he was finished work, he and two friends headed towards Casey Tire. Once again, he encountered his brother John, near Cleland's garage. Berval said he did not mention the shooting to John, which Crown clerk Whalen thought "strange." Berval said he was back home by 10:00 pm and that shortly after this, he told John and his mother about the shooting.

Berval admitted under oath to owning a 16-gauge shotgun, which he bought at the beginning of bird season, along with a box of slugs and a few different kinds of buckshot. When asked what the slugs were used for, he said "for shooting trees." He said he kept the gun hidden in the dining room of the Kitchen home.

On the last morning of the inquest, Wednesday, November 16<sup>th</sup>, John Kitchen took the stand. He vehemently denied any involvement in the shooting, insisting that the persons who had

testified about seeing him were all mistaken. On a few points, his testimony also contradicted that of his brother. For example, he claimed that he had gone to a movie on the night in question and that it was his mother, not his brother, who told him about the shooting after he came home. When clerk Whalen quizzed him about this and other discrepancies between his testimony and his brother's, he said "I'd have to say he was lying." He also claimed that he had not fired his brother's shotgun recently because Berval had broken the stock on it clubbing a duck to death.

The coroner's jury<sup>76</sup> ruled that George Girouard died from a gunshot fired by an unknown assailant, and that the RCMP should continue to investigate the matter. At the conclusion of the inquest, John Kitchen was instructed not to leave Northumberland County, and a few days afterwards, he was charged with manslaughter.

A preliminary inquiry got underway in police court on December 4<sup>th</sup> 1955 before magistrate John P. Morrissey. C. J. A. Hughes was retained to represent the defendant, who was released on \$5,000 bail. Witness testimony was basically a repeat of that given at the inquest, with a few exceptions. This time around, Charles Beaulieu claimed that he wasn't so sure that Kitchen was the man he saw on the night Girouard was killed. Mrs. Doris Goodfellow, however, held to her assertion that she had seen him. Other evidence was given by RCMP personnel Sgt. W. R. Bryenton, Cpl. C. H. Chapman, Cst. J. Barrett, A. B. Sexsmith, and R. R. V. Spencer and ballistics expert D. E. Champagne, as well as Gilbert Bourque, Ian Wilt, Marjorie Moore, Leonard Cormier, Charles Bouthillier and Shirley McDonald, RN. At the close of the examination, magistrate Morrissey determined that there was insufficient evidence to continue and dismissed the charge.

There were many rumors around town about this mysterious case. Some people believed that the shot had been intended for Esson Casey himself, but he was a likeable man with no known enemies. No connection between Girouard and Kitchen was brought up at the inquest or inquiry. A well-known Newcastle criminal was long-rumored to be the triggerman, but nothing came of that.

One year after the shooting, almost to the day, John Kitchen drowned after jumping off of Newcastle's Morrissey Bridge. That was Halloween Night, 1956. Despite grappling operations, his body was not recovered until the following spring. On April 30<sup>th</sup> 1957, a man named John Myles was collecting wood when he spotted the body in shallow water near the Foundry Wharf in Chatham.

#### MURDER AT EEL RIVER

In Eel River Bridge, a tiny fishing community between Bay du Vin and Baie-Sainte-Anne on the south side of Miramichi Bay, a "family party" was held on Saturday night, August 24<sup>th</sup> 1957, at the home of Raymond Carroll.

Most of the attendees were drinking, and early in the evening, Raymond's brother, 30-year-old Thomas Carroll, got into a heated exchange with his step-father, 47-year-old fisherman Allaby "Levi" Martin, after playfully pushing him off the kitchen chair he was sitting on.

At around 9:30 pm, Levi Martin, "in a fighting mood," went out into the yard where a group had congregated. Raymond Carroll later testified that he was belligerent and violent, striking him and another man, as well as Raymond's wife. When warned to cut it out, he walked off in the direction of a neighboring house occupied by a man named Chaisson.

Upon re-entering his own home, Raymond Carroll found his brother Thomas lying on his back on the hallway floor in a pool of blood. He had been stabbed in the left groin and was bleeding heavily. He was helped outside and laid down on the grass. Just then, another brother, Phillip Carroll, who had left the party a short time previously, pulled into the driveway in his car. The wounded man was loaded into the vehicle, and Phillip took him to the Hotel Dieu Hospital in Chatham, some 25 miles distant.

Thomas Carroll was pronounced dead on arrival at about 10:15 pm. Coroner Dr. E. H. Freeman had the body sent to Moncton for an autopsy, which determined that death was caused by arterial hemorrhaging. It was also discovered that the dead man's pockets contained a wallet with \$98 and a number of receipts inside, plus two small bottles of pure orange extract.

A short time after Thomas Carroll was taken away to the hospital, Levi Martin returned to the party. Raymond ordered him out of the house, to which he replied, "If you blame me for that you will be sorry." Martin then walked to a nearby restaurant operated by Adelard Theriault.

At the scene of the crime, Raymond Carroll found a blood-stained taxi-driver-style cap, which he tossed out into the front yard, and his wife cleaned up the blood in the hallway.

Inside Theriault's restaurant, at 11:45 pm, Levi Martin became sick and was helped outside by a man named Norbert Robichaud. When he lay down in the grass, a green-handled pocket knife with the blade open fell from his pants pocket. That morning at 1:30 am, he was taken into custody by Cpl. Mullen A. Hughes, officer-in-charge of the Newcastle RCMP detachment. On the way to the county jail, he requested a brief stop at the Hardwicke Parish Roman Catholic rectory to consult with the parish priest, which Cpl. Hughes allowed. Upon arrival at the jail, his clothing was confiscated as evidence.

The next day, accompanied by Cpl. W. G. Hetherington of "J" Division Headquarters in Fredericton, Cpl. Hughes traveled back to Eel River Bridge to begin his investigation. The two officers were later joined there by Cpl. H. K. Burkholder and his German shepherd "Ranger," who combed the crime scene. Mrs. Carroll called the officers' attention to two bloodied patches of grass in the yard. The blood-stained cap and the pocket knife were found and taken as evidence. Dusted for fingerprints, the knife had apparently been wiped down quite thoroughly. The cap, however, was sent off to the RCMP laboratory in Sackville. Since Mrs. Carroll had cleaned up the house where the party took place, the investigators found no evidence of the night's events there.

A coroner's inquest<sup>77</sup> determined that Thomas Carroll was stabbed to death by his step-father Levi Martin. After being viewed by the inquest panel, the body was released for burial, and the funeral was held from Stella Maris Church in Escuminac. Carroll was survived by a young wife, Edith Russell, a 16-month-old son, his mother, three brothers, and two sisters.

Levi Martin was officially charged with murder and ordered to appear before magistrate John P. Morrissey for a preliminary

inquiry. He was remanded to the county jail without bail to await his examination.

Twenty-nine witnesses testified at the preliminary inquiry. Patrick Carroll, Phillip's teenaged son, said that he accompanied Levi Martin to the party that night. Before the party, he was at Martin's home when the accused changed from his work clothes into the pants and green checkered shirt that were seized the night of his arrest. He confirmed that the accused was wearing the cab driver's cap and that he saw him move the pocket knife from his work pants to the pants he wore to the party.

At the conclusion of the proceedings, on Friday morning September 12<sup>th</sup>, magistrate Morrissey committed Allaby "Levi" Martin to stand trial for murder at the next Supreme Court circuit. When the assizes began on October 1<sup>st</sup>, the grand jury found a true bill of indictment against him for the charge of murder. Justice C. T. Richard adjourned the case so Crown Prosecutor W. H. Davidson and defence counsel Paul B. Lordon could go about selecting and empanelling a petit jury.

The murder trial reconvened on October 22<sup>nd</sup>, but after consulting with his client and the prosecutor, defence attorney Lordon stated that he was prepared to enter a guilty plea on Martin's behalf to a reduced charge of manslaughter. As a matter of protocol, because the trial had already begun, the jury was still required to deliver a verdict. After deliberating 25 minutes, the foreman presented a guilty verdict, and Levi Martin was convicted of manslaughter. Justice Richard sentenced him to serve seven years at Dorchester Penitentiary.

#### BAD BLOOD BETWEEN BROTHERS

Just twenty months after Allaby "Levi" Martin stabbed his step-son to death in the small fishing settlement of Eel River Bridge, another homicide rocked and devastated this tiny Acadian community.

Shortly after noon on Wednesday, February 11<sup>th</sup> 1959, Joseph Ferdinand Duplessie, an unmarried 27-year-old fisherman, was shot through the head by his fisherman brother, 41-year-old

André Albane Duplessie. The shooting occurred in André's small, single-storey frame house, where he lived with his wife and six children.

When RCMP officers reached the scene, André Duplessie was arrested and taken to the Newcastle RCMP detachment by Cst. K. C. Howell. The constable later testified that André was "very cooperative" but also "very nervous," and that during the one-hour drive to Newcastle, he said little. Upon arrival, he was turned over to Staff Sgt. W. R. Bryenton, who took a statement from him in French, with Cst. Aubain acting as interpreter.

Meanwhile, at Eel River Bridge, RCMP corporal and lead investigator C. F. Williamson was examining the scene of the crime. Coroner Dr. E. H. Freeman viewed the remains and sent the body to Moncton for a post-mortem examination. He then empaneled an inquest jury.<sup>78</sup>

A preliminary hearing was held on February 20<sup>th</sup> before police magistrate John P. Morissé and clerk of the peace Dorothy Leggatt. The prosecution was conducted by Harold Hickman of the attorney-general's department, while Duplessie was represented by J. W. Senechal of Campbellton and Albert Robichaud of Bathurst. On the witness stand, pathologist Dr. Ian MacLennan explained the victim's "extensive wounds" to the forehead, face, neck and upper chest. These were "broad and gaping" wounds, and death was caused by hemorrhaging and shock. Five RCMP officers also testified. Cpl. H. A. Clow displayed photographs that had been taken. Staff Sgt. W. W. Sullivan of the RCMP crime detection laboratory in Sackville told of items found at the scene, including a pouch of tobacco and papers, and a knife that was *clutched in the right hand of the victim.*

Attorney Senechal tried to sow doubt about the validity of Duplessie's written statement by disputing Cst. Aubain's qualifications as an interpreter. Aubain admitted that his Montreal French was very different from local Acadian speech. He also admitted to writing some parts of the statement in his own words. Such objections notwithstanding, magistrate Morissé concluded that there was overwhelming evidence that André Duplessie fired the shot that killed his younger brother, and he committed him to stand trial for murder at the May 1959 sitting of the Supreme Court.

A question left unanswered, which may later have been taken into account by the sentencing judge, was that the knife found in the victim's hand suggests the possibility of a violent confrontation and that André could have acted in self-defence.

Also left unanswered was the question of motive. André initially maintained that he shot his brother when he caught him "physically assaulting" André's wife, that is, Ferdinand's sister-in-law. The only independent documentation on motive, which comes from the February 28<sup>th</sup> 1959 issue of *L'Evangeline*, hints at a different possibility. The paper states that a nephew of the Duplessies claimed that Ferdinand frequently visited his brother André's wife during André's absences from home.

Nothing came out at trial, because there was no trial. With the agreement of the Crown prosecutor, Perley Tracy-Gould, André Duplessie pleaded guilty to the reduced charge of manslaughter, and Chief Justice C. E. Jones sentenced him to two years behind bars at Dorchester Penitentiary.

#### THE DEATH OF THE DELANO BROTHERS

The day the Delano brothers died in a tragic conflagration at a former car dealership in Newcastle was one of the saddest the Miramichi community ever experienced.

Charles and Willard Delano were likeable, respected members of the community, active in church and other local organizations. Forty-five-year-old Charlie and his wife, Agnes Kervin, of Moncton, had three daughters: Eleanor, Linda and Sandra, a son, Norm, and a grandson. Thirty-seven-year-old Willard, known as Billy, and his wife, Isabel Macknight, of the Willows, had seven daughters: Darlene, Penny, Brenda, Frances, Fearn, Rhonda and Shelley.

The brothers were the owners and operators of Gem Bakery on George Street. Since everything they sold was baked fresh daily, they usually had cookies and other baked goods to give away at closing time, making them very popular with some of the poorer kids around town, in particular. The two were also volunteer firefighters, with over 30 years of combined service, and Charles had once served as deputy fire chief.

Newcastle Town Square, on which their names are engraved, includes a century-old, 500-pound copper bell.

Shortly after 3:00 am on December 16<sup>th</sup> 1959, a nightshift employee with CNR raised an alarm when he saw smoke and flames rising from Leith Motors, a car dealership on Radio Street. The Delano brothers, who were slated to come on duty for the fire department at 5:00 am, were among the first responders. Fire chief Leonard Burns and most of the other Newcastle fire-fighters were there as well.

There were several small explosions in the 70' x 100' building, as vehicle fuel tanks ignited, and four men were in mortal danger when the front cement wall of the structure suddenly toppled. Fred Haining got away with a dislocated collarbone and a damaged rotator cuff. Stewart Trevors got out with a broken femur, chipped vertebrae, compound fracture of the ankle and several cuts, bruises and burns. But Charlie and Billy Delano were killed by the fallen wall and buried under it.

After the blaze was suppressed, the different agencies set to work scrutinizing the tragic affair. Coroner Dr. E. H. Freeman held an inquest.<sup>79</sup> A Fire Underwriters investigation was conducted by inspector Herbert McCabe and fire marshals Hector Fournier and F. M. Strong. Through a process of elimination, they concluded that an overheated battery charger could have been the source of ignition, but this was not a certainty.

Leith Motors, which was owned and operated by Leith Scrimgeour, had experienced a fire three years previously, when a company warehouse on the Newcastle wharf burned to the ground. Fifteen employees were displaced by the tragic 1959 fire, in which many vehicles were also lost, along with the garage. Large insurance payouts for both fires prompted rumors of arson, but these were effectively dispelled.

On December 17<sup>th</sup> 1959, a hugely-attended funeral was held at the St. James and St. John United Church for Charlie and Billy Delano, complete with a convoy of fire engines. Schools were canceled so students could attend.

The Miramichi Fire Department commemorates these two fallen heroes each October during Fire Prevention Week, along with volunteer firefighter Byron Goodin, a former mayor of Nelson, who was killed in February 1972 while responding to a fire on the Red Bank bridge. A monument erected in 2013 in the

## LOST IN THE WOODS

An elderly woman named Margaret Burke disappeared into the woods around the Cains River Road, in Blackville parish, in early June of 1961, and despite the best efforts of a multitude of searchers, she was never seen or heard from again.

Over the decades, the dense woods of Northumberland County have claimed the lives of more than a few persons who became lost and disoriented and succumbed to the elements. A legendary incident was described earlier in "The Strange Case of William Anslow." A lesser known case occurred in April of 1920, when 40-year-old Clarence Wright, of Newcastle, who became ill while working on a log drive on the Tomogonops River, decided to hike down to the settlement on the Northwest Miramichi. Shortly after he left the camp, a fierce blizzard swept in. A search party went looking for him a few days later, but to no avail. It wasn't until December of 1923 that his skeleton was discovered, by Ernest Hare of Whitney. His remains were identified by a bullet hole in one of his arm bones that he had received in the First World War.

Another case involved 74-year-old Major MacTavish, of Strathtadam, who went missing in the woods near his home in October 1946. Again, searching proved futile. His remains were not found until six years later, by Harold Silliker, nearly three miles from the MacTavish's home.

The most mysterious aspect of Margaret Burke's disappearance in 1961 is that no trace of her was ever found.

According to records from Our Lady of Mount Carmel Church at the Forks, Margaret Jane Burke was born November 4<sup>th</sup> 1880, the third of six children of William Burke and his wife Mary Ann Hogan. She never married, and at the time of her disappearance in June 1961, was living alone on the Cains River Road, about seven miles southwest of Blackville. Despite her 81 years, she was said to have been physically fit. It is believed that she left her home around noontime to walk to a neighbor's house a half-mile distant, but she never arrived there.

## THE BUMBLE BEE CASE

An alarm was raised, and more than 250 people took part in the search, including upwards of 20 forest rangers and game wardens. Dogs were used too and a helicopter. Facilities, such as the ammunition depot in Renous, closed down so their employees could help out.

A 19-year-old man who helped search a 6-mile zone between Burke's home and the Black Brook area recalled in 2017 that the terrain was so rugged and the bush so thick that he had difficulty navigating it. After nine days, the search was called off.

Margaret Burke was compulsively shy and would sometimes hide from people. It was wondered if this might have prevented her from being found. It was speculated that she may have been killed by a drunk driver and her body hidden or disposed of, but there were no facts to substantiate such a claim and seemingly no press coverage of the case.<sup>80</sup>

This wasn't the first time that a person got lost and perished in the deep woods around Blackville. In the mid-1880s, a woman named Eliza Carran<sup>81</sup> from Cains River went missing in those same woods while searching for her stray cows. Her remains were found in July 1890 in Black Brook stream, two miles from her home.

In October 1927, a Moncton man named Leslie Allan became lost while on a hunting trip in the Black Brook area. He built himself a lean-to and tied his handkerchief to a tall tree in hopes of it being noticed by somebody. In late June 1928, his skeleton was found in the lean-to by Henry Casey, of Rogersville.

Celebrated Renous poet Michael Whealan memorialized the incident in a verse published before the mystery was solved, two stanzas of which read as follows:

Two hundred men and two blood hounds  
His track have long been trailing,  
They trailed o'er all the dreary ground,  
Their search was unavailing

The snow now lies upon the ground,  
What fate has him befallen?  
Or where within that dreary round,  
Lies long-lost Leslie Allan?<sup>82</sup>

Today, there are countless movies, books and television programs about crime scene investigations in which the most unlikely tidbits of evidence prove to be crucial to solving a case. Terms such as "forensic pathology" and "genetic profiling" have become a part of our lexicon. But in 1962, the idea that a microscopic appendage from an insect could help convict a murderer seemed like science fiction.

After the death of Patrick Martin's wife, his sister, Mary O'Connell, convinced the 90-year-old to leave his home in Weldfield and move in with her and her son, Joe, in nearby Douglasfield. On Sunday morning, September 23<sup>rd</sup> 1962, Martin was there alone, his sister having gone to visit relatives, and Joe O'Connell having gone to church. Shortly after noon, the nephew returned to find his uncle lying unconscious on the floor in the kitchen, near the woodstove.

At first, O'Connell thought Martin had fallen and struck his head while attempting to light a fire, but he soon concluded that he had been beaten and that a bunch of old newspapers from a pile kept near the stove had been placed on top of him and set alight.

Dr. J. C. Duffy was called to the home, and he sent for an ambulance. Martin was taken to the Hotel Dieu Hospital in Chatham where he died shortly after his arrival. Dr. Duffy and pathologist Dr. Ian MacLellan, as well as nurse Reba Cook and ambulance driver Edward Maher were all suspicious about Martin's injuries and expressed their concerns to coroner Dr. Willard W. MacKay.

A police investigation, led by RCMP Cst. J. G. Martel, focused on a man named Joe Mercure, a destitute alcoholic who had occasionally performed odd jobs for Martin. Mercure lived in squalor in a tar-paper shack in nearby Craigville. Born in 1900, he had been married at age 15 and fathered 16 children, but by the early 1940s, his incessant drinking had caused his wife to leave him. As of 1962, he was widely known for his panhandling and episodes of public drunkenness. Local cops had often taken him home to his shanty or tossed him into the "drunk-tank" for the night.

People came forward to state that Mercure, who was normally penniless, had money to spend ever since the Martin murder. A man named Gustav Schofield claimed that the morning of the murder he picked Mercure up at 11:45 am on the highway near a path that led through the woods to the O'Connell farm. He drove him to a local bootlegger, where he bought a bottle of wine. That afternoon, men named John O'Hearne and Benedict Pallen saw him with at least three \$20 bills.

When RCMP Cpl. Grover showed up at Mercure's shack, the suspect brandished a weapon and warned that the police were not to enter. Tear gas had to be used to end what became a stand-off. After goods were found that had been reported missing from the O'Connell home, Mercure was arrested and transported to the county jail.

When investigators searched the shack, they found Martin's bank book in the ash tray of the woodstove. Inside was a 25¢ bill, commonly called a "shimplaster," with a tiny splotch of blood on it. It was packaged and sent to the forensic laboratory in Ottawa for analysis. There, a minuscule piece of matter was discovered in the blood. This was examined at Ottawa's Entomology Institute by scientist H. F. Bowden, who determined it to be a hair from the leg of a bumble bee. Investigators then found what proved to be parts of the same bee in a roll-top desk at the victim's house, effectively placing Mercure at the scene of the murder.

On Tuesday, October 9<sup>th</sup> 1962, Joe Mercure was charged with capital murder and remanded without bail. The first of what would be two trials took place in February 1963 with Justice G. F. G. Bridges presiding, L. D. D'Arcy and G. A. Percy-Smith prosecuting, and J. L. A. Robichaud defending the accused. The end result was a hung jury, with foreman Alden D'Alley declaring that the twelve members were deadlocked 9-3 in favor of conviction, and that there would be no chance of them arriving at a unanimous decision.

The second trial, which lasted 10 days and heard testimony from 40 witnesses, got underway in May 1963. This time Judge Arthur Anglin presided, with the same attorneys representing the Crown and the defence. The jury was sequestered at the Miramichi Hotel until a verdict was reached.<sup>83</sup> After 90 minutes

the jury found Joseph Mercure guilty of murder in the first degree. He was sentenced to hang on June 7<sup>th</sup> 1963, but capital punishment was facing so much opposition at the time that his sentence was commuted to life in prison.<sup>84</sup> In 1983, he became the oldest inmate in a Canadian prison, and he went to his grave three years later, still professing his innocence.<sup>85</sup>

### THE WEREWOLF OF THE WILLOWS

Oak Point is a beautifully scenic cottage community on the north side of Miramichi Bay about 10 miles northeast of the city of Miramichi. Years ago, the upper Oak Point Road was known as the Bowie Road, while the lower road was called the Morrison Road, with the Shore Road connecting the two along the water. The upper part of Oak Point was once known as "The Willows." In addition to the number of oak trees in the area, there was once an abundance of weeping willows, a few of which may still be found there today.

Between the 1930s and the 1960s, one resident of the Willows was a mysterious hermit named Jack Gillis, who lived in a small shanty just down the beach from the King homestead on the corner of the Bowie and Shore roads.

John Bernard "Jack" Gillis was born on March 30<sup>th</sup> 1875 in Clermont, near Kensington, Prince Edward Island, one of seven children of John J. Gillis and his wife Ellen McGillivray. He and four of his adult siblings were still living at home unmarried in 1901, but nothing is known about the next three decades of his life or why he settled at The Willows in 1934, during the Great Depression.

It is known that Gillis worked seasonally as a fisherman and that he owned shares in two downshore seafood canneries, and that rather fantastic stories were told about him, some of which have survived through oral tradition to the present day.

One story is of his having built a fishing boat in his yard; not just some small dinghy, but a good-sized cuddy vessel. After it was built, he arranged to have several local men help him get this 20-foot scow across the Shore Road, down over the riverbank and into the water. However, when the men arrived

just after sun-up, there was his pristine, shiny new boat, that would have weighed half a ton or more, already floating in the river!

There were no drag marks in the yard or on the road. Gillis had no hoisting equipment, no gin-poles or wheels, no engine hoists or A-framed tripods, no pulleys or tifors, no come-alongs or chain-falls or ratchet straps. Even if he had used some method of jack-and-roll (of which there was zero indication), how did he get the scow down over the steep embankment without damaging it? It was as if Jack Gillis was mischievously spooking the men, cementing his mystique in the eyes of the community.

A similar incident happened back the Winston Road on the other side of the highway, which leads for miles and miles into the deep backwoods of Alnwick parish. Gillis used to do some hunting, trapping and snaring around Winston, a small, isolated settlement on that road. He had constructed a small shack in a gravel pit there that he planned to use for smoking and curing meat, but before he could do so, it had to be lifted over a berm and into the bush. When local residents Dawson Buchanan and Robbie Frost (this author's grandfather) were headed back the Winston Road one day to get a truckload of birch spoolwood, they told Gillis that they would stop on their way back out and help him move the shack. However, when they returned an hour later, the shack had already been lifted up and put in place, as if by magic.

One day when Gillis was walking down the Bowie Road, a strange car with a man and woman in the front seat stopped to ask him directions. While he was pointing out where they should go, multiple witnesses said that his arm began to stretch until it was a foot or two longer than normal, as if made of elastic! This caused the couple to speed madly away.

Perhaps the spookiest and most often-told story about Jack Gillis concerns a grocery delivery he received from Raymond Russell, who ran a small country store in nearby Bartibog and delivered groceries to customers who weren't able to get to the store. One day after making a delivery, Russell was standing in Gillis' shanty with him going over the bill, when a small pile of kindling beside the woodstove suddenly burst into flame. Russell,

a practical man not given to fantasizing, swore up and down that when Gillis proceeded to pat out that fire his hand turned into a "hairy paw." This caused the grocer to make a sudden dash for the door!

On November 17<sup>th</sup> 1964, Jack Gillis, age 89, was found dead in his cabin. He had expired several days previously, and it was said that his place had been ransacked. His sister, Miss El-len "Nellie" Gillis, arrived from PEI to collect his meager effects and assume responsibility for his estate. His remains were laid to rest in Sts. Peter and Paul's Roman Catholic Church cemetery in Bartibog.

Acclaimed Canadian novelist David Adams Richards included a minor character in his novel *Blood Ties* that was based, at least in part, on old Jack Gillis. Otherwise, nobody is known to have memorialized him in print.

#### WHAT HAPPENED TO HERBIE?

The surname "Crocker" has long been a common one along the Miramichi River. Most of the Crockers descend from a Massachusetts Loyalist who settled in Charlotte County, NB, after the Revolutionary War, but the Crockers of this account, who pronounced their name as if it were spelled "Croaker," were of a different descent. They lived in what was known as "Lower Town," in Douglastown, near the river on Shore Road, next to the old Wyse property, a landmark in that part of town.

The Crocker family was large, to say the least, with 14 kids in total, and they had endured their share of hardship and tragedy. In 1942, a 6-year-old son fell ill and died. In the 1950s, their home burned to the ground. In 1972, another son died in a car accident at age 25. The next year, a son of one of their daughters was murdered in Chatham (as related in "Lethal Lockdown"). But perhaps the most unsettling event to afflict the family, since it remains unresolved to this day, was the mysterious disappearance of their son Herbie Crocker.

Twenty-eight-year-old Herbie was a simple, gentle person who caused no harm and had no enemies. Neighbors remember him as eager to be of assistance, whether to run to the store for

an elderly person or help split and pile a neighbor's stovewood. He also had a strong work ethic, which made him quite capable of holding down a job.

In 1965, Herbie Crocker had a general laborer's position at Anderson's sawmill in Newcastle, providing him with spending money and his own bank account. He had no known vices. He didn't drink or smoke. His only known "weakness" was his passion for sports in general and for playing hockey, in particular, during which, it must be admitted, he sometimes became rough and aggressive.

Monday night, December 14<sup>th</sup> 1965 started out like any other evening for Herbie. He went to the hockey game at the old Sinclair Rink in Newcastle at roughly 7:00 pm. His sister, Ruth Mills, who was a care-giver for the late Donald Creaghan, of Newcastle, got off work at 11:30 pm each night and would routinely pick Herbie up after a game and drive him home to Douglastown. Since the game normally ended before she was free to pick him up, he would walk to the Newcastle courthouse, at the top of "the Town Hill," and wait for her there.

When his sister Ruth arrived at the usual rendezvous that December evening shortly after 11:30 pm, Herbie was nowhere to be seen. She concluded that he must either not have gone to the game that night, or else had gotten a ride home with somebody else. Others had seen him standing near the courthouse earlier, however. At around 11:00 pm, Charles Driscoll stopped and offered him a ride, which he politely declined, stating that he was waiting for his sister.

Twenty-eight-year-old Herbie Crocker was never seen or heard from again, and no significant clues concerning his fate have ever come to light. His bank account was never accessed after that night. His last pay cheque was never cashed, and there has never been any activity with his Social Insurance number. He seemingly just walked off the face of the earth.

There was a rumor that he followed a stray dog out onto the thinly frozen surface of the river and had broken through and drowned, but this was never substantiated. The river normally gives up the bodies of her victims in due time in any case. Police suspect that he met with foul play.

In 2002, at the insistence of the family, the case was reopened and handed over to the RCMP ViCLAS (Violent Crimes Linkage Analysis System). Miramichi City Police liaison, detective Dewey Gillespie, reviewed the file and conducted new interviews with family members and neighbors. Articles were published in the local newspapers. Herbie's sister, Vera Cloutier, offered a substantial cash reward for information. New Brunswick Crime Stoppers filmed and aired a television re-enactment of Herbie's last known activities.

A difficulty was that the RCMP could find no information from the original investigation and were unable to track down the 1965 investigators. Gilles Blinn, the officer in charge of the new investigation, was not surprised by this. At that time, correspondence consisted of telephone calls and letters that didn't always get permanently filed. The family did recall receiving two calls from police in 1966, once when a body was found in the river and once when two strange men showed up at a hospital in Halifax and could not be identified. Both were dead ends. There are only a couple of known photographs of Herbie William Crocker, and they were taken when he was eight years old. He is remembered as being 5'4" tall, about 150 pounds, with short brown hair.

#### KING STREET KILLING

The Centennial Bridge is certainly the most recognizable landmark on the Miramichi River. Connecting Chatham, on the south side, with Douglastown to the north, it received its name because it was opened during Canada's centennial anniversary year, 1967. Construction commenced in 1964, bringing workers from near and far. The project required dozens and dozens of iron workers, welders, steeplejacks, electricians, and multiple other trades. One employee was 22-year-old Quebec native Richard Joseph Fitzgerald. The *North Shore Leader* of May 19<sup>th</sup> 1966 referred to him as a rigger on the jobsite; the *Miramichi Press* of May 18<sup>th</sup> described him as a painter. A fact that both papers later agreed on was that, in the spring of 1966, Richard Fitzgerald was charged with murder.

At the time, Guy Lapointe owned and operated a small service station on the corner of King and Duke streets in downtown Chatham. Shortly after midnight on Monday, May 16<sup>th</sup> 1966, teenagers Jim MacIntosh and Ken Vautour were driving around Chatham when they came upon a middle-aged man lying on the road near Lapointe's garage. Richard Fitzgerald was standing over him, slapping him in the face in an evident attempt to resuscitate him. When the two boys pulled up, Fitzgerald had asked them to take the unconscious man to the hospital. The three of them got him loaded into the car and Fitzgerald climbed into the backseat as well.

Along the way, however, he saw his wife walking down the street with another man and asked to be let out. He instructed the boys to circle the block and then pick him up again. They drove around the block, but when they got back, Fitzgerald was in a fistfight with his wife's companion. They circled again, and when they returned this time, Fitzgerald and his wife were climbing into a taxi.

The boys then drove to the Hotel Dieu Hospital, but before they got there, their unconscious passenger slumped off of the back seat onto the floor. At the hospital, MacIntosh and Vautour carried him into the lobby and placed him on a stretcher. Having been severely beaten about the face and head, he was classified DOA (dead on arrival). Helen Lynch, the nurse on duty, called the RCMP. The body was sent to Moncton for an autopsy, the finding of which was that the man died of a brain hemorrhage caused by a skull fracture.

The man was identified as 56-year-old Guy Leo Mountain of Wellington Street, Chatham. A War veteran originally from Amherst, Nova Scotia, he had a civilian maintenance job at the local Air Force Base. He left behind a wife, Dorothy Treadwell, of Newcastle, and two daughters.

Richard Fitzgerald had been seen with Guy Mountain just prior to the attack on him and was immediately implicated in his killing. RCMP officers Bill Madden and Dale Lively arrested him, and he was charged with non-capital murder.

Marie Carroll, a waitress at the Ferry Snack Bar, had served the pair on the evening in question. She testified that they paid their bills separately and then left together at 12:10 am. She also

said that they appeared to be arguing. Fitzgerald admitted that after leaving the diner, he struck Mountain twice in the mouth, knocking him to the ground, but only after Mountain had hit him first. Mountain was allegedly indignant that Fitzgerald had refused to pay both of the dinner bills.

At trial, defence attorneys Ewart Atkinson and Bruce Stuart acted for the accused, while Percy Smith represented the Crown. After deliberating for only 15 minutes, the jury returned a not guilty verdict.<sup>86</sup> Justice J. A. Pichette directed the following comments to Fitzgerald: "You are a very lucky man. A verdict of not guilty does not mean you were not guilty. What happened that night was known both to the accused and to God. I presume the jury gave you the benefit of the doubt. You are a very young man. You should stop your drinking and running around. You are free. I hope you have learned your lesson and you go home and lead a decent life."

#### BY REASON OF INSANITY

Fifty-four year-old Margaret Storey and her husband, Perley, lived in the tiny community of Storeytown, about a mile north of Doaktown. Besides running a small store and dairy farm with her husband, Mrs. Storey looked after mentally and physically handicapped children, as well as troubled youth, in the family home. When the events described below occurred, she had nine or ten children and youths in her charge.

On Monday morning, September 9<sup>th</sup> 1968, a tragic act of violence would bring an abrupt and sorrowful end to Mrs. Storey's care home, when at about 10:30 am, she was stabbed in the back with a hunting knife. The young man responsible was 22-year-old Keswick native Andrew Christopher Currie, who had been residing in the home and doing farm work for the Storeys for eleven years.

Another resident of the home, 19-year-old Barney McGinnis, witnessed the attack and ran next door, to the home of Jack and Nellie Storey, for help. When Nellie Storey entered the house, Margaret Storey was leaning up against the kitchen cupboard, and Andrew Currie was nowhere to be seen. The victim

was rushed to the Miramichi Hospital in Newcastle but died soon after arriving.

That afternoon, at around 3:00 pm, Currie was spotted by a man called Clinton Price walking along the highway some nine miles from Stoneytown. He contacted the RCMP, and the young man was soon apprehended.

At his arraignment, Currie was charged with non-capital murder (now 2<sup>nd</sup> degree). He said he understood the charge, but Judge Eric Richard was concerned about his mental capacity. Coroner Dr. Willard MacKay stated: "I believe he is mentally ill. I do not believe he is capable of standing trial." The judge sent him to Centracare in Saint John for a 30-day assessment.

At the preliminary inquiry that followed, Dr. Alexander Gregory, the psychiatrist who assessed him, testified that Currie was "retarded," with a low intelligence quotient (IQ). He also said the young man claimed to hear "compulsive voices" and that he was subject to hallucinations.

The case was in legal limbo until it was given a hearing before a special session of the Supreme Court of New Brunswick, Queen's Bench Division, in June of 1974, with Justice A. J. Cormier presiding, William Kearney prosecuting, and Douglas Smith defending the accused. The jury took only four minutes to arrive at a verdict of "not guilty by reason of insanity," and Andrew Currie was remanded indefinitely to the Provincial Hospital in Campbellton.

#### A SEVOGLE SHOOTING ON HALLOWEEN

For many years, if not from time immemorial, a segment of the Miramichi population has engaged in crude and violent pranks on Halloween night, several of which are documented in this volume.

In 1971, Norman Kenneth Long, the 17-year-old son of Walter Long of McNamee, NB, and his wife, Helen Hambrook, was the victim of Halloween violence far beyond the prank level. At the time, Long, who was one of nine children of separated parents, was living in the home of Mr. and Mrs. Minto Harris,

in Sevogle, a small community 20 miles up the Northwest branch of the river from the city of Miramichi.

In the early morning hours of October 31<sup>st</sup> 1971, Long and others were engaged in some 'run-of-the-mill' Halloween hijinks. He was standing at the base of a tree near the home of John MacAllister, passing rocks up to friends who had climbed the tree and were throwing them at a dusk-to-dawn lamp in a neighbor's yard.

That year, Halloween had already gotten off to a destructive start. In addition to different groups having set up burning-tire roadblocks, more serious miscreants had cut down three telephone poles and burned a fourth, knocking out telephone service to over 200 homes. Several vehicles had been damaged, either by stones thrown from the dark safety of ditches or from drivers crashing into unseen timbers that had been dragged onto the highway.

Suddenly, at 12:50 am, at Sevogle, the crack of a firearm rang out through the night air. A bullet from that rifle entered one side of Norman Long's ribcage and exited the other, lodging in his clothing. A resident called for an ambulance. He was driven off to the Miramichi Hospital in Newcastle, where he was pronounced dead on arrival. Coroner Thomas Gallivan sent the remains to Moncton for an autopsy and ordered that an inquest be held, while Cpl. W. J. McLellan of the Newcastle RCMP detachment opened an investigation.

On Tuesday, November 2<sup>nd</sup> at 5:25 pm, 51-year-old Harold Joseph Estey was arrested at his home in Sevogle. A few hours later, his son, 19-year-old Wayne Joseph Estey was also taken into custody. While the father and son were being arraigned in provincial court before Judge John Kelly and being charged with non-capital murder, Norman Long's remains were being interred at the Ludlow Baptist Church cemetery. Both Esteys were remanded to the county jail in Richibucto to await their preliminary hearing.

The hearing, on November 13<sup>th</sup> at the Newcastle courthouse, was presided over by Judge E. T. Richard. Barrister Robert Murray represented the Crown, and A. P. Tracy-Gould acted for the defence. At the hearing, the murder charges were withdrawn. Harold Estey, a war veteran, who had lied to investigators in an

effort to divert blame for the shooting away from his son, pleaded guilty to attempting to obstruct justice by making false statements to the police and was handed a 2-year suspended sentence.

His son Wayne had his murder charge reduced to manslaughter. It had become clear to all that the Estneys had just meant to ward off the trespassers because of all the vandalism that had occurred that Halloween, as well as the previous Halloween, when vandals had harassed the family by breaking windows and turning farm animals loose from the barn.

Young Estey testified that he fired his weapon out of a bedroom window, aiming at the ground in front of the tree where Norman Long was hidden in the shadows. After he fired the shot, he "saw someone fall to the ground under the tree." According to expert testimony, the rifle shell had traveled some 268 feet.

Wayne Estey was committed to appear at the next circuit of the Supreme Court, Queen's Bench Division, which opened on November 23<sup>rd</sup> 1971, before Chief Justice A. J. Cormier. The prosecution was conducted by Robert Murray and Hazen Strange, with A. P. Tracy-Gould still representing the accused. At the behest of counselor Tracy-Gould, Strange and Murray agreed to accept a guilty plea from Wayne Estey. The pre-sentence report indicated that he was an upstanding young man who had never been in trouble with the law.

In his remarks to the court, Hazen Strange stressed that he was not looking to make "a martyr" out of the accused; that the retaliation against the young vandals had been far too zealous and extreme. He called for a sentence "not to deter the accused [because] he is already deterred, but to deter others." Chief Justice Cormier sentenced the young man to two years less a day, to be served at the provincial jail level, with a strong recommendation that he be sent to the Kingsclear Reformatory after completion of his sentence.

**MURDER-SUICIDE AT CFB CHATHAM**  
In the early 1970s, the Noel family, originally from Winnipeg, Manitoba, was residing in the Curtis Park private married

quarters, or PMQs, on Edmonton Crescent, at Canadian Forces Base Chatham. The family consisted of 47-year-old Air Force non-commissioned officer John Noel, his 41-year-old wife, Leota, and their four school-aged children. They also had two married daughters living in western Canada.

John Noel owned a No. 7 Lee Enfield .303 bolt-action rifle, which had been standard-issue to Allied soldiers during the Second World War, and as "army surplus," a cheap and popular deer-hunting rifle ever since. At roughly 2:00 pm on Tuesday, March 14<sup>th</sup> 1972, when his wife Leota was reclining on the couch in the family's living room, Noel used his .303 to shoot her several times in the face at point blank range. It would then appear that he sat down on the floor next to the couch, placed the muzzle of the gun in his mouth and fired one last shot.

If there is anything even remotely positive to be said about John Noel's actions that day, it is that before carrying out his plan, he locked and barricaded the doors of the house. When the children arrived home from school at 4:30 pm and could not get in, they went to the nearby military police headquarters, and it was MP personnel that entered the house and discovered what had occurred. It was learned that both John and Leota Noel had been undergoing medical treatment at the time of their deaths. Their remains were sent back to Winnipeg for interment.

#### HIT AND RUN ON THE HOWARD ROAD

There have been numerous hit and run fatalities on the highways and byways of Northumberland County. Most cases have been solved, either from witnesses coming forward or a guilty conscience getting the better of the person responsible. One of the most unsettling of the exceptions occurred nearly a half century ago in Upper Blackville.

Sixteen-year-old twin brothers Donald Murray Urquhart and Ronald Russell Urquhart, sons of Weaver and Marion Urquhart, of the Howard Road, in Upper Blackville, spent most of Saturday, August 19<sup>th</sup> 1972, on their own in Fredericton, having fun and shopping for toys for their younger siblings. They somehow made their way back as far as Doaktown that evening and then

hitched a ride that got them to the junction of the highway and the Howard Road, where they visited with some friends.

At around 11:40 pm, a friend contacted their father by phone to come and pick them up, and they started walking down the unpaved Howard Road towards their home. They had only gone about a quarter of a mile when their father reached them, but instead of seeing them walking towards home, he found them lying dead on the road. It was 11:45 pm.

The RCMP issued a province-wide alert. An accident reconstructionist determined that they had been struck from behind, probably indicative of a vehicle traveling towards the father's on-coming car. Investigators thought that the vehicle would have sustained considerable front end damage. There were unsubstantiated rumors that the car had struck the boys and then backed up and run over them. Another rumor, still current in the area, is that a man who committed suicide shortly after the accident may have had something to do with it.

The boys' funeral was held from the New Zion Baptist Church in Upper Blackville. Besides their parents, they were survived by four grieving siblings: Craig, Darcy, Wendy and Trudy.

In October of 1992, New Brunswick Crime Stoppers aired a video re-enactment of the boys' final moments, in the hope that someone would come forward with new information, but nobody did, and the case was never solved. Meanwhile, the Urquhart family endured another tragedy in 1978, when 21-year-old Craig died after swerving his car off the road to avoid a collision and striking a utility pole.

to family and friends. However, author Sandra Mitchell described him as having a "volatile personality" and "a temper which he couldn't control,"<sup>88</sup> and long-time Miramichi Crown Prosecutor Fred Ferguson, while conceding that he was "generally well-mannered" noted that he had an "explosive temper."<sup>89</sup>

Sometime after midnight on Wednesday, February 28<sup>th</sup> 1973, an intoxicated Earl Lewis showed up at the old Chatham jail searching for a place to sleep for the remainder of the night. Firefighter Ivan Hallahan was the jailer on duty. There were five men in the cells, including three arrested the previous day in connection with a break-and-enter. Fifteen minutes after his arrival, Lewis wandered down the range and got into an argument with 21-year-old Archie Mills, Jr. Witnesses later recalled Lewis is threatening to "knock his head off" and Mills challenging him to go get the key to let him out to fight "if you think you're so tough." This comment would prove to have dire consequences.

Earl Lewis took the challenge seriously, left the jail, and returned approximately an hour later with a loaded shotgun. He then proceeded to commandeer the jailhouse. He locked jailer Hallahan in a cell and then released the other inmates, with the exception of his antagonist, Archie Mills, Jr. The others, John Cunningham, Stanley Cunningham, Wayne Williston and John Kelly could have escaped but did not. Instead, they just turned their faces away from what happened next.

Lewis aimed the shotgun at Mills, but apparently it would not fire. Then he produced a knife and let himself into Mills' cell, where he stabbed the young man numerous times, the fatal cut thought to have been one Mills received in his left armpit.

The killer then fled the scene. It was later learned that he showed up at the homes of no fewer than five acquaintances that morning. Robert Forrest, Shirley MacDermaid, Edward McIntryre, Ian McLaughlin and Vernon Gouchie all claimed that he had banged at their doors in a crazed state. He told each of them about stabbing Mills and let it be known that he was looking for firearms with which to "wage a war against the police." Vernon Gouchie's wife got him calmed down and convinced him to call the police and inquire about the victim's condition. He later went back to his apartment, where he was arrested without resistance at 10:00 am that morning.

## LETHAL LOCKDOWN

All hell broke loose on February 28<sup>th</sup> 1973 at the old Chatham lock-up,<sup>87</sup> and those Miramichi's not already familiar with the name "Earl Lewis" soon would be.

Joseph Earl Lewis was 27 years old as of February 1973, by which time he had already spent the majority of his life locked up, whether in reformatories, provincial jails or federal penitentiaries. Those who knew him found him easy-going and devoted

Lewis came before provincial court Judge John R. Kelly. Based on evidence gathered by RCMP Cpl. James E. Carroll and Crown Prosecutor William Carney, he was charged with capital murder under Canada's recently-amended criminal code. On the advice of Dr. Hugh Siddall, the judge remanded him to Centracare in Saint John for a 30-day psychiatric evaluation.

Lewis' trial was on the docket of the next sitting of the New Brunswick Supreme Court, at which the jury<sup>91</sup> returned a guilty verdict and Justice Albany Robichaud sentenced the killer to life in prison with no possibility of parole for 25 years. However, Lewis won an appeal, and received a second trial, on the basis that the trial judge had failed to instruct the jury on the possibility of a conviction for manslaughter.

The second trial featured the same barristers as the first one, both trials being prosecuted by Bill Kearney, with Lee D'Arcy and Dave Oley defending the accused. This time around, Justice David Dickson presided, Justice Robichaud having passed away in the interim. The judge delivered an extremely thorough, 100-minute charge to the newly-pannelled 8-man, 4-woman jury. He explained the difference between murder and manslaughter, telling the jurors that they were arbiters of fact, while he was an arbiter of the law. They were to determine whether or not the accused had meant to cause death or bodily harm likely to cause death. He said that a manslaughter conviction would be appropriate if the death had resulted from an "act in the heat of passion caused by sudden provocation." He defined "reasonable doubt" and noted that since no one had allegedly witnessed the stabbing, all of the crucial evidence was circumstantial.

The trial brought forth no evidence of insanity, no evidence that the accused had been so intoxicated as to be unable to formulate intent, and no evidence of self-defence. Just after closing summations were given and the jury was ushered out of the courtroom, Lewis went berserk and jumped the prisoner's dock. It took six armed men more than four minutes to restrain him. After just over an hour, the jury re-entered the courtroom and delivered a guilty verdict to the charge of manslaughter, and the judge sentenced Lewis to 18 years in Dorchester Penitentiary.

Unfortunately, this wouldn't be the last time the name "Earl Lewis" would be in the headlines of the Miramichi newspapers.

## THE NIGHT RICHARD BRISK WAS THROWN OFF THE BRIDGE

Richard Joseph Brisk, who was born in Campbellton, NB, was adopted by Michael and Lydia Brisk, of the Red Bank (*Metepenagiag*) First Nation when he was just a month old. One of four children adopted by the Brisk family, Richard was 19 when he was reported missing on April 26<sup>th</sup> 1973.

The Newcastle RCMP detachment, in conjunction with the Moncton RCMP's General Investigation Section (GIS) conducted the preliminary investigation, which led to a suspicion that Brisk had been thrown off of the Somers Bridge – a bridge that spans the Little Southwest branch of the river at Lyttleton, some 20 miles west of Miramichi City, and five miles west of the Brisks' home at Red Bank.

The suspicion was well founded, and exactly a month after Richard Brisk was reported missing, his dead body was found tangled in bushes on a sandbar in the Little Southwest, half a mile below the bridge. The badly decomposed remains were taken to Moncton, where a post-mortem examination concluded that the probable cause of death had been drowning. The body had sustained minor injuries, but there were no severe wounds or fractures.

Northumberland County coroner Thomas Gallivan opened an inquest on June 28<sup>th</sup> with Crown Prosecutor William Kearney questioning witnesses. Evidence was presented to the jury<sup>92</sup> that implicated 21-year-old Lawrence Edwin Johnston, of Sillikers, and 21-year-old Brian John Mutch, of Lyttleton, in Brisk's death. The inquest was adjourned after three hours and reconvened on July 18<sup>th</sup>, when after deliberating for only 42 minutes, the jury ruled that Johnston and Mutch were criminally negligent in the death of Richard Brisk.

A preliminary inquiry was held before Judge John R. Kelly, during which Johnston and Mutch were charged with manslaughter and committed to stand trial. Each was released on bail and ordered to return to face separate charges of manslaughter before the Supreme Court.

At their respective trials, the circumstances of the young Aboriginal's death were brought to light. Three Aboriginal youths,

Richard Allen Ward, Urban Paul and Norman Patrick Levi, encountered Richard Brisk on the evening of April 20<sup>th</sup> 1973 making his way through the Red Bank reserve. They testified that Brisk appeared to be drunk. The trio allegedly began teasing him and then started to chase him down the road, throwing rocks at him. A passing car pulled over, and Brisk climbed into the back seat before the car sped away. One of the young men that had been teasing Brisk testified that the car belonged to Brian Mutch.

In the car were Lawrence Johnston, Brian Mutch and 24-year-old Bervel MacDonald. According to a statement given by Johnston, the deceased had been “shooting his mouth off about [white people] taking land from the Indians.” Mutch stopped the car on the Somers Bridge and he and Johnston got out, along with Brisk. An altercation ensued, which resulted in Brisk “falling” over the 4-foot-high guardrail and dropping 15 feet to the icy water below. Despite his cries for help, Johnston and Mutch drove off and didn’t tell anyone what happened for fear of being “accused of murder.”

Justice Albany Robichaud sentenced both Lawrence Johnston and Brian Mutch to serve two years less a day in a provincial detention center, sentences which many considered to be unduly lenient.

#### BLOODSHED IN BURNT CHURCH

The Burnt Church (*Esgenoôpetij*) First Nation has seen more than its share of violence and turmoil, from the mid-1700s, at least, until the modern era. There have been some truly major incidents, such as the 1999 confrontation involving Aboriginal and non-Aboriginal lobster fishermen and Canada’s department of fisheries and oceans, as well as numerous personal tragedies involving murder, manslaughter, suicide, and assault.

One such tragedy occurred in the summer of 1973, when Emmerson Paul was charged with the murder of his estranged wife. On the evening of August 14<sup>th</sup>, Paul, age 30, was walking along the road with 15-year-old Chester Dedam when, in the vicinity of the Burnt Church bridge, he came face to face with his estranged wife of eight years, and mother of their four children,

25-year-old Norma Paul, who was in the company of Mary Jane Augustine.

Since their separation, Paul had tried unsuccessfully to reconcile with his wife, and he was said to have embraced her that night on the bridge. However, he had been hearing stories about her drinking heavily and fraternizing with other men, and when she refused an invitation to join him for a drink down at the shore, he became infuriated and attacked her physically. When the assault was over, she was lying in a ditch with her throat cut and her face and forehead stabbed a total of twelve times.

Emmerson Paul fled the scene and became the quarry of an intensive two-day manhunt that utilized helicopters and canine search teams. He was apprehended on August 16<sup>th</sup> without incident, 48 hours after the murder. Dr. Hugh Siddall recommended that he be sent for a 30-day psychiatric assessment, after which he was declared fit to stand trial.

On November 6<sup>th</sup>, Paul was charged with capital murder. Upon the advice of defence lawyer Doug Smith, who had stepped in to replace the original defence counsel, Denis Lordon, the accused agreed to plead guilty to the lesser charge of manslaughter. Crown Prosecutor Patricia Cummings accepted the guilty plea. Smith asked for leniency for his client, citing Paul’s depression after the separation, failure to reconcile, his excessive drinking, and the hearsay that had served to upset him. There had been no premeditation evident. Justice Albany Robichaud warned the accused that “drunkenness does not constitute an excuse for crime.” He also admonished Paul by describing what he did as a “ghastly and culpable homicide.” He then sentenced him to 10 years in Dorchester Penitentiary.

#### THE UNSOLVED REDMOND MURDER

The community of Chatham Head, across the Miramichi River from Newcastle and five miles upriver from Chatham, has long held a reputation for being “rough around the edges.” Although there were also always upright citizens in the community, it was difficult for outsiders to look favorably on what was perceived to be a hotbed of debauchery and criminality.

In recent decades, the sociological characteristics of the place have changed dramatically, but there is no escaping the historical legacy or the fact that a number of the most savage murders ever committed on the Miramichi occurred at Chatham Head.

In 1974, Ryan and Mary Beatrice Redmond were living at 88 Bridge Road, a short strip of chipseal leading from the main highway to the Morrissy Bridge, connecting Chatham Head with Newcastle. They had the upstairs floor of a two-storey house that had been sub-divided into apartments. Beatrice Redmond's elderly mother, Louise (Phelan) McMahon, lived with them. They had two grown-up daughters living out on their own. A family named McLaughlin occupied the downstairs apartment of the house.

On Saturday morning, March 23<sup>rd</sup> 1974, Ryan Redmond left for Ottawa to visit the couple's elder daughter, while his 56-year-old wife remained behind to look after her 85-year-old mother. The two spent the greater part of that Saturday at home together, but at 6:45 pm, Beatrice got into her car and drove about a half-mile to the Nativity of the Blessed Virgin Mary Roman Catholic Church to attend Mass. On the way home, she stopped at Henderson's Convenience Store, bought a package of cigarettes and a newspaper, and chatted briefly with the clerk, before saying she had to hurry home to catch a scheduled phone call from her husband and daughter.

Beatrice Redmond never answered the phone that night. The next morning, a pedestrian passing her Bridge Road home around 7:00 am noticed blood dripping from the upstairs porch onto a furnace oil tank underneath the stairs. Redmond's mutilated body was in that porch. She had been stabbed more than eighty times, over fifty of the wounds being on her back, suggesting an attack from behind. She clutched a gold watch in her right hand. Her purse was missing, as was the full-length brown leather jacket and tam-style hat she was wearing the previous evening. None of these items were ever located, nor were the cigarettes or newspaper she purchased at Henderson's store.

The McLaughlin neighbors attested to seeing Redmond's car back in the driveway by 8:10 pm that evening. The only sound they reported hearing was elderly Mrs. McMahon sobbing

and wailing around 11:00 pm. She may well have been upset by her daughter's failure to return, but she later stated that she didn't see or hear anything suspicious.

The police conducted an extensive investigation, interviewing all nearby residents. They also orchestrated a thorough search of the area, although tracking dogs were hampered by heavy sleet and rain that day. No murder weapon was located.

In the days following the murder, a couple of nearby residents reported receiving ominous telephone calls, during which a muffled voice warned them to "keep their mouths shut" if they had seen or heard anything suspicious that night. Investigators followed up on a number of leads. Miramichi newspapers ran photographs of a jacket and purse similar to Redmond's, but all to no avail. It was said that there was a substantial amount of money in Redmond's purse, one unfounded rumor being that she had won a large cash prize at a bingo the previous week.

Twenty-six-year-old Allan Legere, a known break-and-enter artist from the neighborhood, was among those picked up for questioning. After an exhaustive 18-hour interrogation, he was released. It was said that he refused to take a polygraph test. Fifteen years later, he would come to the fore as one of the most notorious serial killers in the country, with five murder convictions on his record. Legere has stated that he believes Chatham Head native Robbie Cunningham was responsible for Redmond's murder. Cunningham was later convicted of the equally brutal 1979 slaying of Nick Duguay, but he was only 13 years old at the time of the Redmond murder.

The unsolved case came to public notice again in 1987, when New Brunswick Crime Stoppers produced a video re-enactment of the murder which aired on television outlets around the region. The *Miramichi Leader* ran an article detailing the facts of the case to coincide with the Crime Stoppers advertisement. The case was in the spotlight once more in 1993 when Saint John writer Dorothy Dearborn included a chapter on it in her book, *Unsolved New Brunswick Murders*.

Many Miramichi residents believe that Allan Legere murdered Beatrice Redmond. His *modus operandi* was to target older, defenseless individuals, especially women. His murders were notorious for their brutality. Most of his victims were known to

have or thought to have money. Sexual molestation was another hallmark of his crimes. There is no evidence that Redmond was molested, but this could have been due to lack of opportunity. If Legere was not responsible for her murder, the killer was most certainly a "pea" from the same "pod."

Police have never ruled out the possibility that Redmond could have been killed elsewhere and her body brought to her home afterwards, since it seems strange that the downstairs neighbors heard no commotion that night. There are other theories, but all are necessarily based on conjecture and guesswork.

That Mazerolle left and spent the night at the home of a neighbor, Mrs. Clementine Jimmo. The next day at noon, Jimmo called to ask that Kingston come over and take her home as she had been drinking all morning. Once back at the trailer, the two began fighting again. Concerned that the noise was going to wake up her slumbering infant, and fed up with the continuous drinking and arguing, Florence demanded that they ship out and find somewhere else to live.

Sometime before 2:00 pm, Mazerolle called her mother to come and pick her up and began packing up her clothing. When Kingston made an accusative reference to her "boyfriends," she burst out of the bedroom and confronted him. He struck her a blow, and she fell to the floor. He later said he slapped her in the face, causing her to lose her balance and fall, striking her head on a kitchen chair. Florence Lloyd, who witnessed the altercation, said that Mazerolle received a closed-fisted jab.

In any event, the blow and the fall rendered her unconscious. Florence Lloyd called outside to her husband, who came in and picked her up and laid her on her bed. Florence placed a cold towel over her forehead and rubbed her wrists, trying to revive her, but she soon realized that something was seriously wrong and phoned for a doctor and an ambulance.

Baie-Saint-Anne RCMP were dispatched to the scene, and when they arrived Mazerolle was unresponsive on a bed in a back bedroom. She was pronounced dead on arrival at the Hotel Dieu Hospital in Chatham.

An autopsy ordered by coroner Dr. P. J. Losier determined the cause of death to have been a brain hemorrhage, and that it had been most likely sustained by the victim striking the back of her head on the chair.

Charged with manslaughter, Ronald Kingston appeared before Justice W. L. M. Creaghan, of the Court of Queen's Bench and pleaded guilty. A pre-sentence report stated that he was known throughout the community as a "heavy drinker" who was "quick tempered" when under the influence. His estranged wife, with whom he had lived for less than a year, and who was in the process of getting a divorce, said that he was of a "jealous nature" and that he had been charged and convicted of assaulting her in 1971. Florence Lloyd said that when Kingston was drinking, he

#### ANOTHER ESCUMINAC DISASTER

Alcohol abuse and domestic violence were to plague and destroy the common-law relationship that 33-year-old Ronald Dennis Kingston and 44-year-old Louise Mazerolle entered into in February of 1974.

Louise (Larsen) Mazerolle came from a large Newcastle family and had a daughter from a previous marriage. Ronald Kingston was from Bay du Vin, where he was raised by grandparents and was profoundly affected by the "Escuminac Disaster" of 1959, in which 35 fishermen died, including his grandfather and an uncle. He had spent three years in the Army, on which his commanding officer commented as follows:

His conduct, dress, deportment, attitude and reliability have all been above reproach at all times. He shows good initiative and sound judgement in his attempts to solve problems and he does not try to blame others for his shortcomings. The Army will be losing a valuable asset as the result of his decision to pursue a career in some other field.<sup>93</sup>

A marriage in 1970 from which he had one child held together for only 10 months. He had been working in Toronto prior to the fall of 1973, when he returned to New Brunswick. After he and Mazerolle paired up that winter, they moved into a house trailer in Escuminac with Edric Lloyd, his wife Florence and their infant child.

A drinking session in which the common-law partners engaged on the evening of September 6<sup>th</sup> 1974 became so argumentative

seemed to think "the world was against him," and that when Mazerolle was inebriated she could have "aggravated the saints." When both parties were sober, their relationship was said to be strong and caring.

Justice Creaghan imposed only a 3-month jail sentence.

### SHOTS FIRED

In the mid-1970s, after the unsolved murder of Beatrice Redmond, Chatham Head experienced a crime wave. There was a late-night attempted burglary of an elderly couple on the old Ferry Road who stayed off the intruders with a pitchfork and a butcher knife! A Chatham Head convenience store owned by Bud McCombs was robbed a total of ten times in 1975 alone.

Because of these goings-on, 28-year-old Daryl John Roy, proprietor of Roy's Auto Body Shop at the corner of Main and Brown Road, in Chatham Head, had begun spending the occasional night at his shop. At around 2:30 am, Monday, June 17<sup>th</sup> 1974, he was there with three friends doing some late-night body work, when the front door of the shop was kicked in and a barrage of bullets unleashed from a semi-automatic rifle.

The gunman fired blindly through a chipboard partition, behind which the four men were working. None of the bullets struck the three friends, but one of them penetrated Roy's ribcage. After the intruder fled into the night, Roy was hurried off to the hospital, where staff alerted the police.

RCMP Cpl. James Carroll headed up the investigation, which was hampered from the start by the reluctance of Chatham Head residents to cooperate. A "we'll take care of things ourselves" approach was a hallmark of the community at that time, especially among members of the younger generations.

Roy was subsequently transferred to the Saint John General Hospital, where he remained in serious condition for a time before slowly beginning to recover. The police detained a couple of suspects for questioning. Divers searched for clues in the murky waters beneath the Morrissey Bridge. The police believed that the incident was related to a shooting that occurred at 10:00 pm

the previous evening when a man from Loggieville, while walking along the highway leading from Chatham Head to Rogersville, was shot at by three unknown men in a car. The two incidents were investigated jointly, but for want of progress, the investigation soon fizzled out.

Another shooting occurred some seven months later, across the river in Newcastle. At 2:30 am, on the morning of January 31<sup>st</sup> 1975, the Newcastle police received a call from somebody who claimed to have just shot a man. The town force turned to the local RCMP detachment for assistance, and three members from each department responded to the call at 647 Elmwood Lane, a dead-end street west of the Chaplin Island Road.

In the front yard at this address, 19-year-old George Kelly had barricaded himself inside a truck camper with a .410 shotgun and a box of ammunition. Before the cops arrived, he had fired at his sister-in-law, Mrs. David Kelly, without hitting her. Staff Sgt. Lawrence Burns of the Newcastle Police went to open the door of the camper but found it was locked. He got a key to open it and tried to persuade Kelly to surrender. Instead, he was met with a blast from the shotgun which missed its mark when he ducked out of the way.

Meanwhile, RCMP Cpl. James Carroll, who had crept up to the camper to back up Burns, was struck with nineteen shotgun pellets when Kelly fired again through the camper window. He had wounds on his face, hand, wrist, chest and shoulder. Several more shots were fired before Kelly was convinced to toss his weapon out of the camper and surrender. Cpl. Carroll was taken to the Miramichi Hospital, but his wounds proved to be superficial and he was soon back on duty.

George Kelly was charged with three counts of attempted murder for shooting at his sister-in-law and the two police officers. He was sent to the Provincial Hospital in Campbellton for a 30-day observation and found fit to stand trial. When he appeared before Deputy Judge James D. Harper in March, the attempted murder charges were withdrawn and two new charges laid: intent to wound and intent to prevent arrest by firing at the officers. He waived his right to a preliminary hearing and to a bail application. He elected trial by judge alone but later entered

guilty pleas. On July 21<sup>st</sup> 1975, he was sentenced to two prison terms of three-and-a-half years each to be served concurrently.

### DEVILISH DEFILEMENT

It was a macabre obscenity. One could hardly imagine a more repulsive act of depravity. It was so bizarre that it set a legal precedent in Canadian criminal law.

At approximately 7:00 am on Wednesday, May 14<sup>th</sup> 1975, Albert Ramsay came bounding out of the front door of his Chatham Head home on his way to work. Out of the corner of his eye, he noticed a shopping bag sitting on the doorstep. He didn't explore its contents, but knowing the neighborhood, and suspecting it might contain the body of a dead animal or something equally unpleasant, he used a shovel to pick it up and take it around to the back of the house.

At 6:30 pm, when Perley Ramsay, another resident of the home, returned from work, he saw the bag in the back yard where some kids were playing and went to see what it was. At first glance, he stated that he thought it contained the head of a mannequin, of the kind used in department store display windows, but upon inspection, he discovered to his horror that it was a human head. He reported the grisly news to his father, Wilfred Ramsay, the owner of the home, who called the police.

Around the same time, William Gorman, the caretaker and groundskeeper of St. Patrick's Roman Catholic Church in nearby Nelson, was making another shocking discovery. During the night, somebody had removed the hinges from the door of the cemetery vault and entered the crypt where the dead are kept through winter until burial is possible after the spring thaw. He immediately went to the rectory to get parish priest Rev. Lawrence Murphy, and the two men entered the vault together. What they discovered was that somebody had pried open one of the coffins and decapitated the corpse with a hacksaw.

The police began an urgent investigation into this unimaginable desecration. As word of it spread like wildfire, a rumor got going that the head was placed on the doorstep of the deceased's family, but this was untrue. The defilement had been carried out

randomly on the remains of an elderly man who was unrelated and unknown to the Ramsays.

It was not until 16 months later, in September of 1976, that the RCMP finally got their man. Twenty-three-year-old Owen David Swain, of Nelson, was charged with performing an indiginity to a dead human body, under section 178 of the *Criminal Code of Canada*. The police had tracked him down in Calgary, Alberta, where he was living and working. An officer with the Newcastle RCMP detachment went there and had him brought in to the police station supposedly to be questioned about another matter. Three hours into the interrogation, the officer produced a photograph of the severed head, in response to which Swain said: "Take it away. I don't want to look at it. It brings it all back."

Owen Swain initially admitted to cutting the head off of the corpse, but he later "clammed up," being concerned about saying anything that might harm his legal defense later on. The officer escorted him back to New Brunswick and had him sent for a psychiatric assessment. He was found to be of average to above average intelligence. He used drugs and alcohol excessively but displayed "no psychotic features." He said that carrying out the atrocity was something he couldn't explain beyond the fact that he "had to do it."

At a preliminary inquiry before Judge A. P. Tracy-Gould, Swain pleaded not guilty and opted for a trial before judge alone. He was represented by defence counsels William Fenton and Paul Jansen, with Drew Styminst conducting the prosecution for the Crown. Just as his trial before the Supreme Court was about to commence, he changed his plea to guilty. The Crown prosecutor was seeking a maximum sentence, while defender Fenton called for psychiatric treatment for his client's "antisocial behavior." Justice William Creaghan sentenced Swain to four years in Dorchester Penitentiary, stating for the record that the case had no precedent in Canadian law.

In *The Miramichi Axe Murder*, Sandra Mitchell cites an account given by convicted murderer Robbie Cunningham about a devil worship cult which was active in Chatham Head at that time, in which Cunningham claimed that he, Allan Legere and Owen Swain were involved.<sup>94</sup> Was this beheading some sort of ghoulist initiation rite required for membership in that cult?

Although he originally accepted sole responsibility for the act, Swain later stated that three others were involved. He refused to identify them, however, fearing that harm would come to his family. Many believe that Allan Legere orchestrated the atrocity and that Swain was just a foot soldier. Legere commented on the deed in an interview given to journalist Shaun Waters:<sup>95</sup> "I saw [him] with the head," stated Legere. "He just came down the road one day, and he had it in a bag. He was tossing it around like a football. He didn't know who the person was. It was just random. Actually, I felt bad about it. He put it on somebody's steps as a joke."

Following his stint in prison for this crime, Swain served another four years for break, enter and theft. After he was paroled, he made a habit of rowing his blue, 14-foot canoe across the river, from the Chatham Head wharf to the Newcastle side, where he would drink at one of the local taverns and then row back. At 7:30 am, April 14<sup>th</sup> 1987, his empty canoe was found capsized in the river near Bushville. He had been last sighted at 9:30 pm the night before. A police helicopter and boat were used to search the river from the Enclosure Park to Middle Island, but it wasn't until a number of weeks later that his drowned body was found. There were the usual whispers of foul play, but it is probable that he just failed to navigate his way across the river. He was 34 years old.

Collins' friend Eleanor Hay described her as a "chipper, smartly dressed businesswoman" who enjoyed reading and writing and would often walk from her new home in Chatham Head all the way across the Morrissey Bridge to Newcastle, or down along the river to Chatham. Tragically, after seven years on the river, the ugly side of Miramichi life intruded upon the idyllic side, robbing her of the world she had created for herself.

Cst. Len Doucette of the Newcastle RCMP detachment received an anonymous phone call at 9:30 am on November 12<sup>th</sup> 1975 stating that a woman was wounded and in need of medical attention at a home in Chatham Head. Unfortunately, the caller gave the wrong civic address. Police drove around for a short time before deciding that the call had probably been a prank.

At 10:25 pm, a second call came in. The caller was adamant that help was needed and this time gave the correct address. Csts. Jean Harrison and Wayne Pilgrim went to the home at once, and looking through a window, saw an elderly woman lying on the kitchen floor. Eighty-year-old Dorothy Collins had been severely beaten about the head and face, and her body and clothing were saturated with some type of petroleum product. She was unresponsive but breathing shallowly. She was taken by ambulance to the Miramichi Hospital and later transferred to Moncton.

Cpl. Douglas McMaster and Cst. Peter Oakes of the Bathurst General Investigation Section were called in to examine the crime scene. A broken latch indicated that the perpetrator(s) had gained entry through a rear door. The home had been ransacked, and everything was in disarray, indicating that robbery was the motive for the break-in. Within a matter of hours, the investigators were on the trail of three suspects: 21-year-old Allard St. Coeur and 20-year-old Carl Joseph Savoy, of Chatham Head, and 21-year-old Richard George Blackmore, of Dieppe, formerly of Nelson. Less than a week later, all three were in custody. A palm print was found at the crime scene that matched Allard St. Coeur's palm.

Dorothy Collins remained comatose for several weeks, and although she then regained consciousness, her injuries were such that she couldn't respond to the investigators' questions. Confined to a wheelchair and unable to care for herself, she was

### A HORRIFIC HOME INVASION

Dorothy Julia (Ranson) Kelly Collins, a native of Ontario, fell in love with the picturesque Miramichi area while visiting in the 1920s with her first husband, Wilbur J. Kelly, formerly of Logieville. Following his death in 1928, and her retirement from a position teaching business administration, she spent time in Florida, where their only child, Dorothy (Kelly) Collier, lived. At one point along the way, she was remarried to a Mr. Collins, but specifics are wanting until 1968, when at age 73, she decided to move to the place she had learned to love as a young woman. She bought a small bungalow for herself at 544 Main Street in Chatham Head.

later admitted to a nursing home, where she spent the remainder of her life. A tombstone in St. Andrews Roman Catholic Cemetery in Loggieville, on which the names of her first husband, Wilbur, and two other Kelly family members are also engraved, states that she died in 1982, at age 88.

All three suspects were charged with break-and-enter with intent to commit a felony, and with assault causing grievous bodily harm. St. Coeur pleaded guilty and was sentenced to six years in prison by Justice W. L. M. Creaghan. Savoy and Blackmore pleaded not guilty. Their trial commenced on October 19<sup>th</sup> 1976, almost a year after the attack, with Justice Creaghan again presiding. Carl Savoy was defended by Frank McKenna, while Ernest Drapeau of Moncton represented Richard Blackmore. John Evans served as Crown prosecutor.

The first witness called by Evans was Allard St. Coeur, the accomplice of the two defendants. County sheriffs escorted him to the Newcastle courthouse from Dorchester Penitentiary, where he was serving his sentence. The proceedings were interrupted when he refused to take the witness oath, instead handing a sealed envelope to Justice Creaghan. Creaghan called for a recess, denying McKenna's request for an adjournment. Because the case had been ongoing for nearly a year, Justice Creaghan was eager to get on with the proceedings. McKenna stated that he was "perplexed" and would later cite Creaghan's refusal to grant an adjournment as a ground for appeal.

Another turn of events occurred when Ernest Drapeau announced that Richard Blackmore decided to change his plea to guilty for the 'break-and-enter' charge. The Crown agreed to "stay" the assault charge, and Justice Creaghan bound Blackmore over for sentencing on November 3<sup>rd</sup>.

This left only Carl Savoy facing the judge and jury. After testimony from RCMP officers and investigators, Allard St. Coeur's wife, Sheila, was called to the stand. She said she was watching television at their home at 519 Main Street, a short distance down the road from Dorothy Collins' home, when Blackmore, Savoy and her husband entered at about 20 minutes past midnight on November 12<sup>th</sup>. After they talked for a while and drank a few beers, they left at 2:00 am and returned again an hour later with a rifle in tow, looking "wet and nervous." Savoy

and Blackmore departed soon afterwards, and St. Coeur fell asleep on the couch. The Crown believed that the home invasion was committed between 2:00 and 3:00 am, during that hour-long absence from the St. Coeur home.

On the second day of the trial, after some legal maneuvering, Richard Blackmore was called to testify. He claimed that he had been drinking at the Newcastle Legion with Carl Savoy and Allard St. Coeur until midnight on the evening of the attack. They then went to St. Coeur's home in Chatham Head where they discussed the robbery, Blackmore claiming that he was under the impression that Collins wasn't at home. He said St. Coeur went to the house first, carrying a Lee Enfield .303 rifle, and that he and Savoy approached and entered only after St. Coeur was inside. He said that when he entered, Dorothy Collins was on the floor, wounded and bloodied, with St. Coeur standing over her.

Blackmore said Savoy went to another part of the bungalow searching for money and valuables, and when St. Coeur continued to beat the defenseless victim, he tried to stop him. He said he also tried to persuade him to call the police, causing St. Coeur to threaten him with the rifle. After the robbery, he said he and Savoy decided to place anonymous calls to both the police and the hospital. A receptionist at the hospital apparently hung up on them, taking the drunken caller to be a prankster. Blackmore informed the court that he was later in a car accident and had sustained head injuries, presumably in an effort to explain any memory problems he might be exhibiting.

Blackmore was rigorously cross-examined by Frank McKenna, Savoy's defence lawyer. He readily admitted that he had been drinking heavily for a few days leading up to the crime and that this may have clouded his recollection of events. In his final summation, McKenna argued that Savoy had demonstrated concern for the victim by contacting police. He also maintained that Blackmore's unreliable testimony was all that placed Savoy at the crime scene. In spite of this, and the fact that Blackmore's evidence incriminated St. Coeur more so than Savoy, the 8-man, 4-woman jury delivered a guilty verdict against Savoy on both counts.

Carl Savoy had previous convictions for mischief, break-and-enter and theft, damage to property, possession of narcotics

and resisting arrest. He was also simultaneously up on charges of sexual assault for participating in a gang rape. Justice Creaghan sentenced him to five years of imprisonment, and Richard Blackmore, a husband and father of two with no previous criminal record, to four years.

An appeal of Savoy's sentence was unsuccessful and a professional loss for McKenna. Carl Savoy was killed in a horrific car crash, along with his two passengers, on June 15<sup>th</sup> 2001 at the intersection of the highway and the Sutton Road in Nelson. Excessive speed and alcohol were cited as factors.

### VIOLENCE IN VILLAGE-SAINT-LAURENT

In the summer of 1976, Village-Saint-Laurent, a small, largely French-speaking community near Burnt Church, about 18 miles east of Miramichi City, was the scene of a senseless domestic homicide.

Forty-six-year-old Merilda Gautreau and 55-year-old Pierre Louis Joseph Breau, both separated from former spouses, had been living common-law for four years in a small 3-bedroom bungalow with Merilda's 22-year-old son, Etienne Gautreau.

Gautreau and Breau were in the habit of arguing constantly over trivialities. One such argument began at suppertime on August 20<sup>th</sup> 1976 over the fact that Merilda had forgotten to ignite the burner under a pot of peas on the stove, and it escalated until they were each calling down the other's family.

Etienne's son Etienne had learned to tune these squabbles out, as he did that night while blow-drying his hair in preparation for a night on the town. After a quick supper, he left with the impression that the combatants had calmed down. A usual way for such disputes to end was for Merilda to pick up the telephone receiver and threaten to call the police.

Etienne attended a softball game in nearby Legacéville that evening and then went to a pool hall with some friends. He was walking home at around 11:00 pm when a friend pulled up in his car and asked him to go with him to a dance at the Neguac Legion. Having been only 150 feet from his home when picked up, he noticed that the trunk of Pierre Breau's car was open in

the driveway, as was the door to the barn. This puzzled him, and when he got to the dance, he called home twice, getting a busy signal each time.

When Etienne returned from the dance that night, he walked in on what appeared to be the scene of a botched murder-suicide. His mother was in a pool of blood on the floor, leaning up against the chesterfield, with the telephone receiver clutched in her hand, Pierre Breau was on the floor only a couple of feet away. Between them lay a .22 caliber rifle and a kitchen carving knife.

It appeared as though both Gautreau and Breau had been shot. When Etienne picked up his mother's wrist to feel for a pulse, he discovered that she was stiff and cold to the touch. He saw, however, that Breau was breathing shallowly, his stomach rising and falling. The telephone was not working, so Etienne ran to a neighbor's home to call for help. When he left the house, the outside porch light was on, as was a lamp inside the home.

Neguac RCMP arrived within minutes, and as they were entering the driveway, the porch light and the light inside the house were both flicked off. Etienne heard what he thought to be two shots fired inside the house, and fearing an armed confrontation, the police called for reinforcements. A loudspeaker was used to demand that Breau surrender. He didn't respond, but on several occasions the police noticed window curtains moving.

At 5:00 am, August 21<sup>st</sup>, Breau emerged through the front door of the bungalow, but when the police ordered him to raise his hands, he turned to run back. However, he tripped and fell and was quickly apprehended. Having two gunshot wounds in his left shoulder area, he was taken to the Hotel Dieu Hospital in Chatham and later transferred to the Moncton Hospital.

Upon re-entering the crime scene, Etienne Gautreau saw that things had been moved around overnight. The rifle and the knife were pointing in different directions, blankets had been strewn about the living room floor in a haphazard effort to soak up the blood, and a pair of blue jeans had been placed on top of Merilda's body. Investigators found blood in every room in the home.

A post-mortem examination performed in Moncton determined that Merilda Gautreau had been shot four times with Breau's .22 caliber rifle. One of the bullets had severed her aorta. She died about an hour after eating supper, or at approximately 6:15 pm. This discovery would later help discredit Breau's defence.

It was determined at the Moncton hospital that the two bullets that Pierre Breau took to the chest were fired from a muzzle within an inch of his body. They partially collapsed a lung and fractured one or more ribs. Neither he nor Gautreau were found to have any alcohol in their blood.

Following a preliminary inquiry in September 1976 before Judge John R. Kelly, Pierre Breau was charged with the second degree murder of Merilda Gautreau. His trial commenced in December before Supreme Court Justice Guy Richard, with Crown prosecutors W. J. Kearney and Drew Sty mist, and defence counsels George Chiasson and Jacques Desjardins. During the proceedings, court interpreter Jacques Degrace delivered a statement that the accused had given to the police. In it, he claimed that after supper, he and Gautreau had both fallen asleep in the living room while watching television, and that he was awoken sometime after dark when he was shot by two unknown intruders. He said he drifted in and out of consciousness for the remainder of the evening, that he attempted to revive Merilda and had managed to take some pain-killers.

Breau claimed the shootings took place after dark, when the estimated time of Gautreau's death was 6:15 pm. A meteorologist testified that sundown occurred at roughly 8:15 pm that night, and that it wasn't completely dark until after 10:00 pm.

There was, however, some evidence that gave credence to the notion that the shootings could have been carried out by an intruder. Breau and Gautreau had been involved in numerous conflicts with neighbors that summer. Etienne Gauteau said that neighbors had thrown rocks at Breau while he was working in the garden, that someone had smashed the glass out of their front door with an axe handle, and that two men had been seen roaming in the vicinity of the house with rifles in hand.

Despite this, and the fact that the Crown's case was purely circumstantial, the jury<sup>96</sup> delivered a guilty verdict, and Pierre

Breau was convicted of second degree murder. During sentencing, Justice Richard pointed out that Breau had not demonstrated any sorrow over his partner's passing, whereas he had expressed concern about who would feed his livestock during his incarceration. He was then sentenced to life in prison, with no chance of parole for 10 years.

Defence counsel filed an appeal, citing inadequate instruction to the jury, but it was summarily denied.

### THE FIGHTING FISHERMAN

The "Fighting Fisherman," Yvon Durelle, legendary Miramichi boxer, came within a hair of taking down world light-heavyweight boxing champion Archie Moore in a 1958 Montreal title fight, but could he beat a murder rap?

Yvon Durelle was born on October 14<sup>th</sup> 1929 in the Acadian fishing village of Baie-Sainte-Anne, about 25 miles east of the city of Miramichi. One of 14 children, he grew up fighting, and in the 1940s, began to make a name for himself in the boxing ring. Under the guidance of Moncton fight promoter Rocky Stone, he vaulted up the professional ladder to capture both the Canadian middleweight and Canadian light-heavyweight championship titles in 1953, when he was in his early twenties. In 1957, he was crowned the British Empire light-heavyweight champion. But it was in 1958 that he would forever cement his status as a world class fighter.

On December 10<sup>th</sup> 1958, Durelle challenged world champ Archie "Mongoose" Moore at the Montreal Forum. Coming into the fight with an impressive pro record of 78-19-2, with over forty knock-out victories, he was still considered a 4-1 underdog, so he shocked the boxing world when he managed to knock Moore down a total of three times in the first round. By today's rules, the fight would have been called and Durelle declared the winner. The champion, however, weathered the storm and came back to win a 12-round unanimous decision. Boxing historian and former referee Mills Lane considered the fight to be the greatest comeback in boxing history, writing in an article for ESPN.com: "I don't think you'll ever see a fight

like Durelle-Moore again...that fight transcended what great fights are.'

Durelle had some more notable fights and serious wins, but his career was soon in decline. He was a party animal who enjoyed a flamboyant, extravagant lifestyle. It was said that more often than not, prior to a fight, while his opponent was undergoing rigorous training, he would be out socializing at clubs and entertaining the ladies. By the 1970s, he had made and lost a fortune, including a fleet of fishing boats. His next venture, undertaken in collaboration with his wife, Theresa, was to open a restaurant-bar in his home village of Baie-Sainte-Anne called "The Fisherman's Club." By 1977, the 48-year-old former boxer and his wife were putting their all into this business. Unfortunately, trouble soon came knocking in the person of 32-year-old Albin Poirier.<sup>97</sup>

Poirier was a local bootlegger with a penchant for alcohol and drugs, fighting and hell-raising. A few years before, he was shot in the leg during a tussle at another bar in Baie-Sainte-Anne. He had been confined to the Provincial Hospital in Campbellton a couple of times after failed suicide attempts, one of which saw him try to disembowel himself. He was also rumored to have played a part in the "accidental drowning" of a local fisherman. Although he and Durelle were once on good terms, their relationship had soured.

Durelle called the RCMP on at least three occasions to complain that Poirier was provoking fights at "The Fisherman's Club," harassing female patrons and threatening violence against him and his family. The last of these calls was made on Friday afternoon, May 20<sup>th</sup> 1977, and he was to go to the police station on Monday morning to ask about having Poirier sign a peace bond.

That night, Poirier showed up again at the club and was refused service. Outside, he and Durelle got into a fight, and the RCMP were called. When Csts. Owen Arthur and David Brown arrived, Durelle took a .38 caliber Smith & Wesson revolver out of his pocket and handed it to them. In the parking lot, the policemen found Albin Poirier slumped over in the front seat of his car. He had been shot five times.

Durelle was taken into custody and charged with murder. At a preliminary examination, he was committed to stand trial at the next sitting of the Queen's Bench Division. While awaiting his day in court, he was released on \$10,000 bail, much of which was put up by Newcastle businessman David Mitchell.

The trial got underway on September 12<sup>th</sup> with Justice Ronald Stevenson on the bench. The Crown prosecutors were Bill Kearney and Drew Stymiest, and Durelle was defended by Denis Lordon and Frank McKenna. Club patrons Bertrand Durelle, Francois Durelle, Jacques Chaisson, Donald Kelly and Robert Thibodeau all basically related the same story: Albin Poirier was in the driver's seat of his green Ford car, with Durelle standing in the parking lot. He put his car in gear and tried to run Durelle down. When he missed him, he reversed the car, slammed into some other vehicles, and made another run towards him, at which time Durelle produced the pistol and started firing through the driver's side window.

Other witnesses described Durelle's conduct in a more negative light. Robert Robichaud quoted him as saying: "I got him good the first time, I shot him in the face; it was just like shooting beer bottles..." Wayne Lloyd heard him say: "I poured five shots into the son of a bitch."

Moncton neurologist Dr. Herbert Tucker testified that countless blows to the head had rendered Durelle "very slow in decision-making applications." In a risky tactic, Lordon and McKenna called Durelle to the stand to testify on his own behalf. When Drew Stymiest raised the issue of excessive force, and questioned Durelle as to why he had fired five times after he saw the victim slumped over after the first shot, Durelle stated that he was scared that Poirier, who often carried a firearm, was "playing possum." The jury deliberated for 50 minutes before returning a verdict of not guilty, obviously feeling that Durelle may well have feared for his life.

Yvon Durelle died on January 6<sup>th</sup> 2007 at the age of 77.

## BURNT CHURCH BEDLAM

As of this writing, the year 1977 holds the record for the highest Canadian and New Brunswick murder rates ever. There

were 711 homicides in Canada that year and 38 in New Brunswick. Northumberland County experienced a meteoric rise in armed robberies, assaults and violent crime in general in the 1970s, but there were only two murders in the county in 1977.

Burnt Church (*Esgenoôpetitj*) First Nation had a violent, crime-ridden reputation throughout the 1970s. The number of murders, attempted murders, rapes, assaults, robberies and suicides was both staggering and unsettling. One violent event, among many, occurred on a mid-summer night in 1977.

Twenty-seven-year-old Clayton Morris Bonnell, a carpenter employed by the Burnt Church Band, lived in a small bungalow with his wife and two young children, with a third child on the way. At a party at the Bonnells' home on the night of July 11<sup>th</sup> 1977, a large quantity of beer and liquor was consumed. RCMP officers were called at roughly 10:00 pm because of excessive noise and fighting. Things quieted down and they left, but some or all of the parties remained.

At roughly 12:30 am, an inebriated Clayton Bonnell entered a bedroom in which a group of people, including his wife, were sitting around talking, and harshly demanded that everybody leave his house. When the demand was ignored, he went to another room and retrieved a .22 caliber rifle. Upon his return, he again told the guests to get out and began waving the rifle around. His first cousin, 30-year-old Leonard Clarence Simon stood up, saying that he had to use the washroom, and Bonnell shot him in the chest, just under the ribcage. Police and paramedics were called, and Simon was taken to the Miramichi Hospital, where he was pronounced dead on arrival.

A native of Eel Ground who had been raised on the Big Cove reserve in Kent County, Leonard Simon left behind a 25-year-old wife and two small children. Prior to his death, he was employed as a drug and alcohol counselor with the Union of New Brunswick Indians.

Immediately after the shooting, Clayton Bonnell went to a neighbor's place, where he passed out on a couch. Police tracked him down and arrested him at 2:30 am. He was charged with second degree murder and brought before Judge G. S. Bertrand at a preliminary examination conducted in Tracadie. He was

defended by David and G. A. Percy Smith, while Drew Stymiest served as Crown prosecutor.

Bonnell said he was not aware that his rifle was loaded. His wife testified that she had put one shell in the chamber the previous Sunday. There had been a series of break-ins and burglaries on the reserve, and she took this action as a safety precaution. She also said she told her husband the gun was loaded when he started pointing it at people that night; but he claimed to have no recollection of this. His defence team contended that the shooting was "more of an accident and not premeditated murder," while the Crown argued that producing the gun had been an irresponsible and excessive reaction to the guests' refusal to leave.

The accused was certainly remorseful, stating that his cousin Leonard Simon had been "his best friend." Witnesses testified that, when sober, Bonnell was quiet and peaceable. Neither he nor Simon had been involved in the fighting that went on earlier in the evening. The murder charge was dismissed when Bonnell agreed to plead guilty to manslaughter. The fact that he had no prior convictions was a mitigating factor, and he was sentenced to only four years in Dorchester Penitentiary. However, during the sentencing, Justice Claudius Legere addressed the distressing rate of crime and violence that had been rampant of late in Burnt Church, saying "there seems to be a lack of respect for human values here."

#### THE HORRIBLE DEATH OF OTIS LEBLANC

Katherine Ann "Kathy" LeBlanc was a 20-year-old single mother, residing with her 4-year-old son, Sherman Otis LeBlanc, at the home of her parents, Edward and May LeBlanc, in Storeytown, near Doaktown. While visiting the Doaktown Fairgrounds on July 20<sup>th</sup> 1978, she met 19-year-old Michael Francis Hallet, a native of Saint John. He was operating the merry-go-round for Port City Shows. A romantic relationship soon developed between them, and Kathy invited Hallet to move in with her at her parents' home. These living arrangements were short-lived, however, as after only three weeks, Kathy's father, Edward LeBlanc, told Hallet to leave.

This prompted Kathy to take Otis and leave also. They stayed with friends of Kathy's for a short time and then rented a room with a kitchenette at Taylor's Motel in Doaktown, taking occupancy on September 1<sup>st</sup> 1978. Almost immediately, Hallet began physically abusing little Otis, and Kathy did little or nothing about it. On one occasion he slapped the boy all over his body with an eggbeater, relenting only when the eggbeater broke. Another time, he tied a belt onto a coatrack in the closet and seated Otis on a chair underneath it. When it appeared as though he was going to hang the child, Kathy finally intervened, and Hallet was heard to say "I'll kill you yet, you little bastard."

On Monday, September 11<sup>th</sup>, Otis LeBlanc suddenly passed out and was unresponsive to efforts to revive him. His mother summoned the motel proprietor, Clarence Taylor, who took him to the Doaktown Medical Clinic. The physician on duty, Dr. Jerome Wilson, called for an ambulance to take the child to the Dr. Everett Chalmers Hospital in Fredericton. Recognizing it as a case of child abuse, he also notified provincial authorities.

Although still alive, Otis remained unresponsive, causing the Fredericton medical authorities to transfer him to the neuro-surgical unit at the Saint John General Hospital. There he was pronounced clinically brain dead and taken off life support on September 13<sup>th</sup>. After Michael Hallet and Kathy LeBlanc gave statements to RCMP officers Cpl. J. L. Jemmex and Cst. A. M. MacDonald, Hallet was placed under arrest.

An autopsy determined the cause of Otis' death as hematomas of the liver and brain. The child also had numerous external bruises and a fractured wrist. After a 30-day psychiatric evaluation at Centracare in Saint John, Michael Hallet was arraigned and charged with manslaughter. A preliminary inquiry was held before Judge John Kelly, and Hallet was ordered to stand trial before the Supreme Court. Represented by attorney Patrick Gorman, he elected trial by judge alone. Meanwhile, little Sherman Otis LeBlanc was buried at the Doaktown Roman Catholic cemetery in a service conducted by Rev. Charles Mersereau.

At Hallet's trial, ambulance attendant Ed Gaston testified that the accused asked him on the way to Fredericton if Otis would recall what had happened to him when he awoke. He

demonstrated "zero remorse," as the following excerpts from his original statement to police reveal:

(Saturday morning Sept. 9) Sherman was getting cranky again, so I gave him a beating and sent him to the corner. He stood there twenty minutes. Later that afternoon, he was getting cranky again, I gave him a slap across the face...not hard... and told him to smarten up. (Sunday Sept. 10) Around 10 pm he and I were wrestling again. I hit him in the stomach by mistake. He said he felt sick...we took him out for some fresh air. He started acting smart out there. I meant to hit him in the shoulder, but I got him in the stomach. He started wobbling and tripped over a small log. Around 6 pm he started watching Walt Disney. He started getting cranky, so I gave him a beating with my belt. I hit him three times. I sent him to the corner for about twenty minutes. He started getting cranky again. I went to kick him in the bum but I got his leg. When he went down he said 'you hurt me.' 11:30 am (Monday Sept. 11) He started getting lippy again, so I called him over to the bed and I hit him on the face on the left side because he was grinding his teeth. When he stopped crying, he was still grinding his teeth, so I hit him again and sent him to the floor. When he stopped crying, I showed him what a wrestler does. I hit him in the back of the leg and I hit the bruise. When he stopped crying over that, I showed him how a wrestler puts down an opponent from the front. I hit him in the stomach and he said he felt sick...he fainted.

Hallet's own childhood was spent in and out of foster homes, and his defence attorney blamed the beatings he gave Otis on the fact that he had been physically abused himself and suffered from "battered child syndrome." Reading from a report from the Ontario Medical Review, he asserted that his client displayed all of the symptoms: lacking trust, sympathy and empathy, being emotionally immature, etc. However, the Crown prosecutor, Drew Stymiest, argued that his crimes warranted the imposition of a life sentence.

It was revealed through the proceedings that Hallet had been incarcerated for a year in 1975 for indecently assaulting his 5-year-old sister. He had also spent three years in a provincial training school for carrying an offensive weapon.

The trial came to an end on December 15<sup>th</sup> 1978. Justice Bernard Jean, who described it as the most difficult trial he ever

presided over, sentenced Michael Hallet to 12 years behind bars. Crown Prosecutor Drew Styminst immediately filed an appeal, calling the sentence "manifestly inadequate." However, the New Brunswick Court of Appeal upheld it.

#### A SAD DAY IN BARRYVILLE

Barryville is a small settlement about 13 miles east of the Miramichi City limits, on the highway to Tracadie. One of the most mournful and despairing calamities in memory occurred there in late 1978.

After Alvin Brideau's wife, Madelaine, walked out on him for the second time and moved to Nova Scotia, taking their 14-year-old son Robert with her, the 44-year-old woods worker was left to care for himself and their other five children: Patricia 10, Constance 8, Lori 5, Stephanie 3, and Karl Richard 2. With little or no income and nobody to help out, he was terrified that welfare officials would learn of his plight and take the children from him. It was said that he took them with him everywhere he went for this reason.

Brideau was a man who had endured more than his fair share of anguish over the years. In an interview with the *Ottawa Journal* of October 21<sup>st</sup> 1978, acquaintance Gildred McKay said of him: "His house burned down five or six years ago, two years ago his wife left him, and last year their new house burned and one of their children burned in it. Ever since then he wasn't right. He walked around like he was in a daze." It was his 5-year-old daughter Angela that perished in the house fire at their home in Village-Saint-Laurent.

On Thursday evening, October 18<sup>th</sup> 1978, Alvin Brideau packed his five children into his car and went driving around. He took them to a store, bought them paper and crayons, and filled up his gas tank. Then he kept on driving until they all fell asleep. Gildred McKay later reported that he saw Brideau's car pull into the parking lot of the Barryville Roman Catholic Church at approximately 1:30 am. McKay, who lived next to the church, didn't give it much thought at the time, because a few minutes later, the car left.

At some time in the middle of the night, however, after McKay had gone to bed, Brideau returned to the church, drove around to the rear and into the cemetery, where he parked beside his daughter's grave. He then connected a hose to the exhaust pipe and ran it through a hole in the trunk and into the car. Neighbors later reported having heard an engine revving at around 4:45 am.

After sunrise, a 9-year-old boy saw the car in the cemetery, still idling, and approached it. Brideau was in the driver's seat, holding a photo and a note in his hand. Two of the kids were in the front beside him and the other three were in the back. The boy thought they were asleep, but they had all died of asphyxiation from carbon monoxide poisoning. The note was addressed to his wife, Madelaine, who was out when he had tried to reach her in Nova Scotia by telephone the previous day. He allegedly asked the person who answered the phone to tell her that he was going to "do away with the children," but this is not something that can be confirmed.

Neguac RCMP responded to the scene and determined that a multiple murder-suicide had occurred. Coroner Charles McCombs ruled an inquest unnecessary. Residents of Barryville were shocked and devastated. At the funeral procession, the image of four tiny white coffins and one tiny blue coffin, followed by a larger casket, was recently described as surreal by a family friend who attended.

Alvin Brideau was said to have been a loving, caring father with a wonderful sense of humor and was highly thought of by most of those who knew him. People felt that, under the pressure of events, he had just lost his senses. It was estimated that a thousand mourners came to the wake held for him and the children and that around 300 attended the funeral service the next day, which was officiated by Rev. Everett Connors and Rev. Robert Grattan.

#### "A MAN'S HOME IS HIS CASTLE"

Thirty-year-old Albert Maurice Savoy lived in a mobile home on the Curtis Road in Whitney, eight miles west of Miramichi,

with his wife Cheryl, their two young children, and Cheryl's 16-year-old sister, Kimberly Marshall. On the afternoon of December 2<sup>nd</sup> 1978, Savoy left his workplace, picked up his kids from the babysitter's and was home by 4:30 pm. His wife had gone to Moncton with friends on a Christmas shopping excursion. That evening, after feeding the kids and getting them tucked into bed, two of Savoy's brothers-in-law, David Curtis and Hughie Hare, came by and had a few beers with him. Shortly after they left, his sister-in-law, Kimberly Marshall, arrived home for the night. She and Savoy played cards until 11:30 pm, when she went to bed.

At some point after midnight, while Savoy was playing solitaire at the kitchen table, 37-year-old Wayne Kenneth Allison knocked at the door. He had a case of beer to share, and Savoy invited him in. Allison was from Boom Road, where he lived with his wife, Doreen. Sadly, the couple had recently lost their only child, a daughter named Brenda, to cystic fibrosis. Wayne was employed with the department of natural resources at their Sunny Corner office, further up the road that ran through Whitney and Boom Road.

Albert Savoy later claimed that his late-night visitor was a stranger, that he didn't even know his name. He said that when Allison, who weighed 200 pounds and stood over six feet tall, appeared at the door, seemingly drunk, he invited him in because he was afraid to turn him away.

According to Savoy, while standing in the kitchen, Allison talked loudly about being a karate expert and a "navy frog-man" and kept repeatedly curling a kitchen chair with one hand, supposedly to demonstrate his forearm strength. Several times he asked to use the telephone but then hung up without connecting with anyone. He also talked about his deceased daughter.

Savoy said he feared Allison, and that when Allison went out to his truck for more beer, he ran down the hallway to his bedroom and got his .38 caliber revolver. When his visitor returned with the beer, he asked him to leave, but Allison just looked at the floor and laughed. A scuffle ensued, during which Wayne Allison was shot in the chest and dropped dead on Savoy's kitchen floor.

A call to the RCMP brought Cpl. Ben Walsh and Cst. Larry McLean to the home, where they found Albert Savoy visibly shaken and upset. Because his pistol was unregistered, he first stated that it belonged to Allison, but he later admitted that it was his. Arrangements were made for the children to be picked up by a relative. A statement was taken from Kimberly Marshall, who had not seen or heard much.

The investigation continued. Albert Savoy was taken into custody and charged with manslaughter. Wayne Allison's funeral service was conducted by Rev. John Posno, and his remains were interred in the Boom Road Presbyterian Cemetery.

A preliminary examination took place at which Judge A. P. Tracy-Gould ordered Albert Savoy to stand trial for manslaughter. He was no stranger to the prosecutors or the police. Recently he had been one of three men implicated in a break, enter and theft at a camp on the Mullin Stream Road. Neither was the victim, Wayne Allison, unknown to law enforcement. He had been sentenced to six months behind bars in 1975 for fraudulently setting fire to his automobile.

At Savoy's trial, with Justice Bernard Jean presiding, local residents Cameron Allison, David Grant and Brent Sherrard testified to having seen Wayne Allison drinking beer and gin on the evening he was killed, but that he didn't appear to be drunk. Cameron Allison, who lived near Savoy, also received a visit from Wayne Allison that night, during which he curled a kitchen chair with one hand and picked up the telephone receiver several times without actually making a call, just as he later did at Savoy's place.

Crown Prosecutor Drew Stymiest asked the accused why, if he felt threatened, he didn't lock his doors when Allison stepped outside to get more beer from his truck. His reply was that he didn't want to incite a confrontation. Savoy's attorney, Frank McKenna, in his closing summation to the jury, alluded to the old adage that "a man's home is his castle." This must have resonated with the jury, because after being out 85 minutes, they returned a verdict of not guilty. Upon hearing this, Savoy family members in attendance applauded, and Albert Savoy walked out of the courtroom a free man.

## THE CHATHAM HEAD AXE MURDER

Things seemed peaceful and pleasant on the Miramichi in the summer of 1979. The Chatham Ironmen won their fourth Maritime Baseball Championship in five years on a 25-game winning streak. A new shopping mall was under construction in Douglastown. Work was plentiful, spirits were high, people seemed happy. Then another savage slaying knocked this summer of serenity out of orbit.

Time is said to be a great healer, but there's no question that the inhabitants of Chatham Head were still troubled over the unsolved murder of Beatrice Redmond in 1974. Some people felt that the killer must have been an outsider, maybe a transient or a sailor from one of the ships in port at the time. Others, however, were sure that the murderer was one of their own who was still walking around freely in their midst.

Nick Duguay, a 53-year-old War Vet and army pensioner, eked out a meager existence living alone in a small, dilapidated shack on the Brown Road without running water or electricity. He was content, however, as long as he had some wine and tobacco, but lately he was being taken advantage of by local youths. He was in the habit of drinking himself into a stupor each and every night, and after passing out, these predators would help themselves to his liquor and cigarettes and steal any money he might have in his pockets. It got so bad that he began handing his pension cheque over to a local bootlegger, who would ration his money out to him in wine.

By August of 1979, many of the young criminals who had been frequenting Duguay's shanty had been picked up and convicted of various thefts and burglaries and were spending the summer in Dorchester Penitentiary or in the penal facility at Springhill, Nova Scotia. One who wasn't incarcerated was 18-year-old Robert Brian "Robbie" Cunningham, who had been on better terms with Duguay than the others who preyed on him. It was not a tension or conflict-free relationship, but on the morning of August 15<sup>th</sup> Cunningham brought Duguay cigarettes and sandwiches and helped him chop and split firewood.

That night, Robbie Cunningham went driving around with Calvin Richardson and Lawrence Savoie in Savoie's car. They consumed some wine and beer, and smoked some marijuana.

and it was said that Cunningham took some tabs of LSD and a few sleeping pills. Because of the obnoxious behavior that he displayed afterwards, his companions forced him out of the car shortly before midnight on the Brown Road. He was incredibly intoxicated and, upon exiting, fell into the ditch on the side of the street.

At this time, Wednesday night, August 15<sup>th</sup>, Nick Duguay wasn't in much better shape himself. He had been drinking at James Ryan's residence across the road from his home, where a card game was in progress. He left at approximately 11:30 pm, and Wayne Ryan watched through his kitchen window as he staggered over towards his shack.

At 10 minutes past midnight, Robbie Cunningham showed up at the Savoie residence, where he and his mother had been staying. He was bare-chested, disoriented, frothing at the mouth, and mumbling incoherently. He had blood on his jeans, and he told his mother to call the cops because "something bad" had happened "over at Nick's."

When the RCMP got to Duguay's shack, they found him dead, the victim of an extremely violent attack. Soon there was a throng of people milling about on the Brown Road. In the midst of the melee, Cunningham, whose jacket, shirt and shoes were found scattered along the laneway leading to Duguay's shack, was arrested and taken to the county jail. Officers attempted to get a statement from him, but he was senseless and confused, in a drug and alcohol induced daze.

Nick Duguay had been bludgeoned so savagely and beyond recognition that medical examiners had to take an x-ray and overlay it with a military x-ray from an old surgery to locate a steel pin that would positively identify him. He had been struck upwards of 60 times, including more blows to the head than could be accurately counted. Also, his left hand had been completely severed. It had been such a vicious, frenzied attack that the perpetrator had swung and missed another 40 or more times, judging from marks on the tile floor. The murder weapon was Duguay's own axe, which had been used earlier that evening to hammer horseshoe stakes into the yard for a neighborhood game.

Robbie Cunningham denied having any knowledge of the attack, vehemently maintaining that he and Nick were the best of friends and that he would never do anything to harm him. Not surprisingly, however, given the evidence of his culpability, he was charged with murder.

At trial, Drew Stymiest and Fred Ferguson were the Crown prosecutors, while Cunningham was represented by noted defence attorney David Hughes. He mounted a strong defence, accusing the RCMP of "investigative tunnel-vision," meaning that they had not sufficiently explored other options and avenues, focusing solely on Cunningham. Police tracking dogs had not been used. Outbuildings on Duguay's property, including a wellhouse and a woodshed, had not been searched, nor had the woods surrounding the crime scene. And at the request of the family, the shack had been burned to the ground by the Chatham Fire Department within a week of the crime, depriving the defence team of an opportunity to conduct their own exploration of it.

Attorney Hughes reminded the court that it was not up to the police to assign guilt. However, it was up to the jury, which found Cunningham guilty as charged. He was convicted but was granted an appeal and a second trial on the grounds that the judge had misdirected the jury. It didn't help his case, however, when a picture taken by photographer Guy Aube that appeared on the front page of the August 22<sup>nd</sup> 1979 edition of the *Miramichi Leader* showed him being led out of court sporting a shaved head, smirking, and brazenly displaying his middle finger to the camera.

The outcome of the second trial was that, since Cunningham had been too inebriated to form an intent to kill, the jury found him guilty of manslaughter, and Justice Bernard Jean sentenced him to 12 years in federal custody.

The murder and the two trials that followed were the focus of a meticulously-researched 1992 true-crime book by Sandra Mitchell called *The Miramichi Axe Murder*. In it, she theorized that Cunningham may have been a scapegoat, and that the real culprit may have been serial killer Allan Legere. It is an interesting theory, but when Cunningham was paroled in February 1993 and proceeded to commit another murder just seven months later, it lost credence.

According to those who knew him well, 31-year-old John Dale Mackenzie was an unsavory character, a habitual binge drinker and a perennial criminal. Originally from Miramichi, he had been incarcerated in different institutions in the Maritimes and Ontario. On one occasion, he had slashed a police officer on the face with a knife, causing a wound that required seventy stitches. He was a large, intimidating person, with an array of jailhouse tattoos, including a prominent swastika.

On Saturday afternoon, December 8<sup>th</sup> 1979, Mackenzie met his fate at the "business end" of a shotgun. The man who killed him was 29-year-old Bushville native Ronald Joseph "Ronny" Malley, who was then living at Whitney, about eight miles west of the city of Miramichi.

Ronny Malley and his common-law partner, Patricia Oakes, were still in bed on Saturday morning, December 8<sup>th</sup>, when a taxi pulled into the yard and dropped Dale Mackenzie off. According to later testimony by the cabdriver, Ray Morrissey, Mackenzie was drinking from a pint of rye on the way up from town that morning, and not long after he entered the Malley residence, he and Malley, who had known each other for some 15 years, left for Newcastle in Malley's pick-up truck to do some more drinking. By 10:00 am, they were ordering up at the Black Horse Tavern, where they were soon joined by Donald Young and Ernest Kingston.

Shortly after noon, Malley, Mackenzie and Young left to go to the Sweeney Lane apartment of Cathy Galley, a former girl-friend of Mackenzie's, with whom she had a son. Malley later stated that, by this time, he was trying to get rid of Mackenzie, who was becoming increasingly belligerent, but Galley didn't want her ex-boyfriend left at her home. She later testified that "when he was drinking you didn't know what he would do."

So Malley, Mackenzie, and Young headed back to Malley's home. Ten minutes after their arrival, Donald Young "crashed out" on the living room couch. Malley's common-law wife Patricia Oakes and her 5-year-old son Christopher were present, and when Malley went upstairs to use the washroom, Mackenzie allegedly made inappropriate advances toward Oakes. This was something he did with some degree of regularity when he was

drinking. When Oakes yelled at him, Malley came downstairs and confronted him. An argument ensued, and the two men began shoving one another around. Both Malley and Oakes later claimed that Mackenzie was told to leave the premises several times but wouldn't oblige. Malley then walked into his living room, grabbed a shotgun from his gun rack and loaded a shell, planning to use it to intimidate Mackenzie into vacating the premises. Malley stated that he pointed the barrel at Mackenzie to get him to leave, at which point the shotgun discharged accidentally, killing him instantly.

The shot awakened Young, and the four occupants of the house, Malley, Young, Oakes and her son, then left the residence. Five-year-old Christopher, who had not witnessed the shooting, had to step over Mackenzie's body in the kitchen to get to the porch. Malley said he held the youngster's hood down over his face as he did so. There was no telephone in the home. On the way to Newcastle, Malley was upset and shaking. In the parking lot of the Newcastle liquor store, the group met up with Hugh Hare and Donald O'Shea. Oakes left to take her son to a babysitter. The four men went to O'Shea's home in the Whitney area, where he and Hare were informed of the incident. Malley wanted his attorney, Denis Lordon, to be present before the police were called. When Lordon arrived, Malley was in 'bad shape, having consumed 40 ounces of Hermit Wine since arriving at O'Shea's place. Three hours had transpired since the shooting, and the lawyer demanded that the police be called immediately.

Ronny Malley was arrested and charged with second degree murder. Justice Bernard Jean presided over his trial. Crown Prosecutor Drew Styminst called attention to the lengthy interval between the shooting and the report made to the police. Malley's extensive criminal history was held up to scrutiny. At the time of the shooting, he had some seventeen criminal convictions on his record, ranging from theft and robbery to assaulting a police officer. The Crown argued that the shooting was a case of tension having escalated between two temperamental "drinking buddies"; that Mackenzie's advances towards Oakes had enraged Malley, inciting the shooting, and that self-defence was not a factor.

Representing the accused, along with his law partner Denis Lordon, was Frank McKenna, who made an impassioned self-defence argument in his final summation to the jury. He claimed that Malley was intimidated and fearful for his safety and concerned for the well-being of Patricia Oakes and her son Christopher. After the jury had been out for close to an hour, the foreman, Frank Harris, announced a not guilty verdict, and spectators cheered and applauded.

#### A SHOOTING AT VALENTINE LAKE

On the morning of October 22<sup>nd</sup> 1980, Charlo native Theodore Doiron left his logging camp near Valentine Lake at around 7:00 am to make the 20-mile trip into Doaktown for supplies. Near the Dungarvon Road, he spotted a half-ton truck in the ditch, and as he approached, a young man got out of it and flagged him down. The man was 20-year-old Stephen Graham Morehouse, whose hands and jeans had blood on them, and who was shaking and crying intermittently.

Doiron agreed to drive the young man to Doaktown, but because Doiron spoke little English, they could not communicate freely. Doiron later stated, however, that Morehouse had spoken of a terrible "hunting accident" and of a family friend having been killed. Strangely in such a circumstance, Morehouse asked to be let out on the highway a few miles from Doaktown, where he began trying to hitch a ride in the direction of Fredericton.

Later on that day, after Doiron noticed the truck still off the road in the ditch, he informed his boss, logging contractor Herman O'Donnell, about his passenger and his story. The RCMP was contacted, and at a hunting camp owned by Holmes McCormick, not far from the abandoned truck, they discovered the body of 39-year-old Winston George Gillespie, the caretaker of the camp. He had been shot in the face, and his body was in a bunk in a back bedroom.

Investigators soon determined that Gillespie had last been seen alive with Stephen Morehouse, a cousin of his, when the two were purchasing groceries and liquor for a planned hunting excursion. Soon a witness came forward who had heard a description of

the wanted man on a radio news bulletin. He said he had picked Morehouse up when he was hitchhiking and that he claimed he was headed to Calgary. A Canada-wide warrant was issued for his arrest.

Morehouse did not linger in Calgary. Later, when RCMP officers pulled a vehicle over for a traffic infraction in Dawson Creek, British Columbia, he was one of its four occupants. He was detained there until Fredericton RCMP arrived to escort him back to New Brunswick.

In an official statement to the police, Stephen Morehouse said that he and his cousin Winston Gillespie were good friends who had planned an overnight partridge hunt at McCormick's camp on Valentine Lake. They had been drinking all day on October 21<sup>st</sup>, and in the early evening, Gillespie, who had recently broken a leg and was on crutches, prepared a meal of pork chops and potatoes for them. After dinner, Gillespie went to lay down in one of the 'bunks.'

Morehouse stated that his cousin told him about marital problems he'd been having and that he didn't wish to return home to his wife. While horsing around in an effort to cheer him up, Morehouse picked up a 28-gauge shotgun that he believed to be empty, and standing in the doorway of the bedroom, pointed it at Gillespie's face and pulled the trigger. The gun discharged, killing Gillespie. Morehouse stated that he could not remember loading the gun but later specifically recalled that he had not loaded it. In fact, he had checked the chamber and found it to be empty. He thought perhaps Gillespie had loaded it while he was outside getting an oil lamp.

Forensics revealed that the shotgun had probably been within 30 inches of Gillespie's face when it was fired, calling Morehouse's already fantastical account into question. Investigators also determined that Gillespie's body had been turned over, and that his wallet and pockets had been rifled through. Morehouse explained that, in a panic, he had been searching for the keys to his cousin's truck, which he said he later found on the table. He left the camp and drove down the road until the truck slid into the ditch and got stuck. He stated that he continuously honked the horn, attempting to attract the attention of wardens or others. As a gesture of despair, he slashed the vinyl upholstery inside the truck's cab with a buck-knife.

Morehouse remained in the truck until morning, when Doiron happened to come along. He swore that the reason he fled to BC was that he was too worried and "mixed up" to tell his family about the shooting. It was revealed that Doiron and Morehouse had met Gillespie's brother Archie on the woods road that morning, and when the two trucks stopped alongside each other, and Doiron tried to tell Archie what had happened, Morehouse had a hood pulled over his face to prevent Archie from recognizing him.

Stephen Morehouse was charged with criminal negligence causing death. At trial, he was defended by Denis Lordon and Frank McKenna. Crown Prosecutor Drew Styminst asserted that the accused man had passed by the deceased's brother, the Doaktown RCMP detachment, and his own father's house that morning without making any effort to report the shooting death of his cousin, which Styminst said insinuated guilt. After the jury deliberated, its foreman, Kenneth Davidson announced a guilty verdict and Justice Claudius Legere sentenced Morehouse to four years in a federal penitentiary.

Defence counsel immediately launched an appeal, citing biased, inadequate instructions to the jury. The New Brunswick Court of Appeal concurred and granted Morehouse a second trial. The second time around, he was sentenced to 15 months, the "technical equivalent" of the time he had already served, and he walked out of the courtroom a free man. Justice R. Miller admonished him, however, for recently violating the terms of his bail by using alcohol, and imposed several conditions on his release, including two years of probation and a mandatory alcohol treatment program and counseling.

Public sentiment had become more favorable towards Morehouse when it was brought to light that he had passed a polygraph test as to whether he had any intention of shooting or harming Winston Gillespie.

#### DEAD IN DERBY

Joseph Peter Sullivan was born and raised in Nelson, one of three children of Frank and Catherine Sullivan. He graduated from an industrial program at Harkins High School in Newcastle

in 1966. He subsequently married Minerva Loggie, and they had five children.

By 1981, the family was living in the home of Mrs. Rita Harrigan and her children at Lower Derby, a few miles south-west of Newcastle. At the time, 33-year-old Joseph Sullivan was working at Boise Cascade, the large pulp and paper mill in Newcastle that would later be known as REPAP, and eventually as UPM Kymmene. He had been employed there for 13 years.

On the night of January 17<sup>th</sup> 1981, at around 8:50 pm, Joseph Sullivan was stabbed in the driveway of the home where he and his family were residing and was pronounced dead upon arrival at the Miramichi Hospital. The man who stabbed him was found to be 49-year-old Matthew Rean Ellis, of Newcastle, a boyfriend of Mrs. Harrigan's. He was arrested and charged with manslaughter.

At his preliminary hearing, Ellis was represented by Denis Lordon and Frank McKenna. Judge A. P. Tracy-Gould set bail at \$5,000, and he was released on a recognizance to keep the peace until his trial in the Court of Queen's Bench. Among the conditions imposed were that he was to refrain from drugs and alcohol, avoid contact with Rita Harrigan and the Sullivan family and adhere to a midnight curfew.

The trial got underway in August 1981, before Justice W. W. Meldrum, and Crown Prosecutors Drew Stymiest and Fred Ferguson. It was determined that Rean Ellis had arrived at Rita Harrigan's home at 7:00 pm on the night in question and began drinking beer with her in the living room.

Mrs. Harrigan's son Wendell Harrigan stated that it was he who arranged to have the Sullivan family move into the home. Seemingly this had been part of a ploy to break up the relationship between his mother and Ellis, who was behaving abusively towards her at times. He was also worried that Ellis might acquire legal possession of the home.

Evidence at trial revealed that there was a volatile atmosphere in the Harrigan home. Fifteen-year-old Tommy Harrigan testified that his brother Wendell had also been abusive towards his mother. It was learned as well that the Sullivan children felt intimidated by their father, who spent most of the family income

on wine. There was a good deal of alcohol consumption by the Harrigan family too, Rita admitting under oath that many meals were skipped in favor of drinking instead.

After Sullivan's arrival at the home that night, he challenged Rean Ellis to step outside to fight. Mrs. Harrigan and Sullivan's wife, Minerva, both testified that Sullivan was more intoxicated than Ellis. He was also a much larger man. After taking on the challenge, Ellis soon found himself on the receiving end of a vicious beating. At that point, he produced one of two pocket knives that he had concealed on his person and warned Sullivan to back off, but Sullivan made another rush at him, falling "into the blade."

The two separated and staggered back into the house. Ellis appeared to be in the worst condition, his face covered in blood and mud. It was not realized that Sullivan had been stabbed, but when he entered the front door, he fell against the wall and slumped to the floor. Then it became evident that there was a cut in his lower torso from which his intestines were protruding. An ambulance was called and Ellis, beginning to panic, wiped off the knife and hid it behind the sofa.

Twenty-one witnesses were called to testify during the 3-day trial, including several RCMP officers and lab experts, pathologists, ambulance attendants Ernest MacLean and Brian McFarlane, and cabdrivers Carl Matchett and Charles Foran. Pathologist Dr. Alfred Basterache expressed surprise that death had resulted from such a small incision. It seemed as though a combination of factors had caused massive bleeding, leading to death.

Frank McKenna stressed that Ellis had been in fear for his life and was acting in self-defence. He also maintained that Sullivan had inadvertently rushed into the weapon that caused the mortal wound. The Crown argued that Ellis had known what he was doing and had also swiped at the deceased with the blade. Prosecutor Stymiest felt that Ellis could have defused the situation by refusing to go outside and fight with Sullivan. The judge instructed the jury<sup>99</sup> that they must deliver a not guilty verdict if they had a reasonable doubt as to the accused's intent to harm Sullivan. After four hours, the jury returned a not guilty verdict. Family and friends of Ellis applauded the outcome,

while Sullivan's supporters left the courtroom in a somber mood. Ellis reportedly had a slight smile on his face as he shook hands with Lordon and McKenna.

### A SCHOOL SHOOTING

As stated elsewhere in this book, the Burnt Church (*Esgeno-ôpetitj*) First Nation has undergone some trying times during the past 50 years. In the 1970s, there were attempted murders, shootings, stabbings and beatings. In the early 1980s, things went from bad to worse.

Perhaps the most heinous act of violence at Burnt Church in this period was one that occurred in February of 1981. Charlotte "Tuny" LeGresley was a popular 38-year-old wife and mother of three. Originally from Covedell, near Tabusintac, she worked as a kindergarten teacher at the 10-classroom, K-8 Burnt Church school.

For a number of months, Mrs. LeGresley had been the recipient of unwanted advances and romantic proposals from Eldon Taylor, a 36-year-old widower. The father of seven had been employed as a school bus driver for the past three or four years and was well-liked in that role. However, in spite of the fact that LeGresley was happily married to government employee Ivan LeGresley, and had made it clear to Taylor that she had no interest in having a relationship with him, he persisted in pursuing her. She told the RCMP that she was "frightened" of him and asked that he be instructed to stop "bothering" her at "work, at school...everywhere," but he couldn't accept her rejection of him.

Shortly after 9:00 am on Friday morning, February 20<sup>th</sup> 1981, after completing his bus run, Eldon Taylor entered the Burnt Church school with a .30-30 rifle in hand. Principal Fred Melanson saw him at the main entrance and telephoned the police. Mrs. LeGresley was in the process of taking roll-call in her home classroom, which backed on an empty classroom with a sliding partition dividing the two.

It was from that morning into LeGresley's kindergarten class of 20

children, including his own 5-year-old son. He was quoted as saying: "If I can't have you, nobody can." Then he shot her in the stomach from a distance of about 20 feet. After he fled, a fellow teacher ushered the kindergarteners into her classroom and locked and barricaded the door. Mrs. LeGresley was flat on the floor in her own classroom, but she was alive and hadn't lost consciousness.

Taylor set out on foot for his home. He fired a shot as he approached and another through the kitchen floor after he entered, almost striking one of his two teenaged daughters who were in the basement of the house that morning. Then he turned the gun on himself, successfully ending what was obviously a life of misery.

Charlotte LeGresley required emergency surgery at the Charlottetown Hospital, where her right kidney and a portion of her large intestine had to be removed. However, she survived and recovered. Eldon Taylor's children were taken in by relatives. Nelson teacher Doug Shanahan, who taught extension courses in child psychology and perception for the University of Moncton, was interviewed by the *Miramichi Leader* regarding this incident and its possible long-term effects on the children who had witnessed it. In an account of the interview published in the paper's February 25<sup>th</sup> 1981 issue he is quoted as stating that, while they would most likely get over it, it would remain in their subconscious minds for a long time. "Some children might be afraid of bus drivers forever," he stated, "others might be afraid of opening doors, others might be apprehensive in the classroom, thinking it might happen again."

### THE SUSPICIOUS DEATH OF PONCHO HENDERSON

In the late afternoon of November 14<sup>th</sup> 1981, two 15-year-old "base brats" left their homes at CFB Chatham and ventured across the Centennial Bridge to the Radio Shack, a popular electronics store in the Northumberland Square Shopping Mall in Douglastown. Before heading back home, they went down under the bridge on the Douglastown side of the river and climbed up a caged ladder to a maintenance catwalk to throw some paper airplanes over the side.

Unbeknownst to the boys, they were about to uncover one of the strangest mysteries the Miramichi area has been confronted with in recent decades. Since a certain amount of technical information is essential to unpacking that mystery, the following paragraph provides some basic facts about the bridge.

The Centennial Bridge, connecting Chatham, on the south side of the Miramichi, and Douglastown on the north side, was completed in 1967. It was designed to include a navigation span, directly over top of the channel, which is the deepest part of the river, used as a laneway for ocean-going vessels. The navigation span gives these large ships the clearance required to pass directly underneath the bridge, roughly 120 feet from the surface of the water (at high tide) to the bottom of the bridge. The top of the arches, the highest point of the bridge, is 240 feet from the water. A maintenance catwalk runs the majority of the length of the bridge, approximately three-quarters of a mile, underneath the roadway, or decking. A portion of the catwalk can be accessed from each side of the river, but both the Chatham catwalk and the Douglastown catwalk cease at the navigation span over the channel and do not connect with one another. That is to say, a person cannot cross from one side of the river all the way to the other side on the catwalk.

To get to the end of the catwalk, at the navigation span, from the Douglastown side of the river, the two 15-year-old boys who had been shopping at Radio Shack had to cross five cement pillars, or support piers. When they got to the second-to-last pier they noticed a brand new pair of sneakers placed neatly side by side on top of the pier, with the toes pointing upriver, towards Newcastle. When they got to the final pillar, as far as they could go on the catwalk before the navigation span, they discovered the dead body of 17-year-old Paul "Poncho" Henderson lying on a steel stringer.

In iron worker lingo, a "stringer" is a joint or length of structural steel running horizontally between two vertical, upright support posts. Although it has been stated that the body was found on a length of I-beam, the stringer was actually made of 24" C-channel, crossing the width of the bridge. To visualize the C-channel, one has only to picture the letter "C" rotated ninety degrees until it resembles the letter "U." The 24"-wide stringer, with the outside edges or lips (called "flanges"), was

6" to 8" deep. The shoulders of an average-sized man could just fit between the flanges. Henderson's body was lying lengthwise within the channel of the steel stringer. It would have been impossible to see it from the river, the shore, the bridge, or anywhere else, other than at the very end of the catwalk.

When the boys came back down, they rushed to a nearby store and contacted the police, who then accompanied them back up to the catwalk. After the necessary investigative work was done at the site, the police faced the not-inconsiderable task of removing the body from its precarious location.

"Poncho" Henderson, a native of Newcastle, was described as fun-loving and free-spirited. He had been missing for two weeks before his body was discovered by the two boys. On Halloween night that year, he and a friend, Granville Peterson, took a taxi from Newcastle to the Ambassador Tavern in Chatham. Peterson went inside, but Henderson was denied entry because of his age. The bouncer later claimed that he later tried a few more times to get in but was turned away each time. When last seen, he was walking along Water Street in Chatham.

Because of the freezing temperatures, and the fact that Poncho's remains had been out of direct sunlight, which slowed decomposition, medical examiners could not accurately determine a time of death. They were able to confirm, however, that he had no alcohol or drugs in his system, even though his friend, Peterson, claimed that they had shared a case of beer on the afternoon of October 31<sup>st</sup>.

His cause of death was recorded as an accident resulting from a fall. However, this was hotly disputed by those familiar with the catwalk, who knew that there was no way a person could fall from the bridge and land where Henderson's body was found. It is scientifically impossible, regardless of wind or any other factor. Also, an autopsy revealed that he had suffered numerous rips and tears to internal organs, a finding more consistent with a beating than a fall. From a logical standpoint, there would also be no way that he could have been beaten and later carried up to the catwalk.

The only possibility is that Poncho got up onto the catwalk of his own volition. In 1981, there were only two ways to access it. The first and most common route was from the shore on the

Douglastown side of the river, up the same caged ladder that the two boys and the cops used when the body was discovered. The only other access was through a manway hole on the sidewalk, on top of the bridge, that led down a short ladder to a small landing adjacent to the catwalk.<sup>100</sup>

In 1991, Poncho's brother George Henderson, who was staying in a Fredericton homeless shelter, asked writer Bonnie Clarke Douglass to help him get the mysterious case investigated by the RCMP, and together they got it reopened in 1999 and listed among the RCMP's unsolved cases. When George Henderson died in 2007 from head injuries sustained in a fight on the streets of Fredericton, Bonnie Douglass determined that she would honor his efforts and give the mystery of his brother's case the prominence she thought it deserved. Her book, *When Justice Fails* (2014) documents their quest to have the case reactivated, and to have the original, shoddy police investigation scrutinized. No member of Poncho's family was ever permitted to view his remains, for example, and his personal effects seemingly vanished. During her research for the book, Douglass repeatedly heard the names of two Miramichi men alleged to have played a part in the tragedy.

Perhaps Poncho Henderson accompanied someone up onto the catwalk that night who gave him a beating on the grating high above the river, and left him there to die. Or maybe he was beaten on top of the bridge, or elsewhere, and then forced to climb down through the manway. This could account for the sneakers being found on the second-to-last pillar, as this was the pillar that the manway ladder led down to. Whichever way he used to gain access to the catwalk that night, he would have had to pass the location where the sneakers were found.

Poncho may have lain down in the stringer and passed out, dying there from a combination of his injuries and exposure to the elements. It has been speculated that he witnessed something he was not supposed to see and was murdered for this reason. However, when all the known facts are taken into account, it is difficult to believe that he was murdered. If somebody wanted to kill him, why wasn't he simply thrown off of the bridge?

The following year, Miramichi would be marred by another pair of suspicious deaths. On July 6<sup>th</sup> 1982, 24-year-old Joey

Viennau was found shot to death in a car near the Chatham Head wharf. Although his wounds were determined to be self-inflicted, his family maintains that he was murdered. He was shot in the side, an admittedly peculiar place for a suicidal person to shoot himself. Then, on Christmas Eve 1982, 62-year-old Albert MacDonald died in the Moncton Hospital after having fallen down a flight of stairs at the Ebb-Tide Tavern in Newcastle. An inquest was held and the death was ruled accidental. There are those, however, who are adamant that MacDonald was thrown down the stairs to his death.

### IN COLD BLOOD

Yerxa "Yerxie" Foran was the owner/operator of Miramichi Taxi, in Newcastle, while his brother Billy owned and operated Foran's Taxi. Cousins named Reggie and Winston Foran owned other cab companies, making the Foran surname synonymous with the cab business in town.

Around noontime on February 26<sup>th</sup> 1982, Yerxie Foran was watching television in the living room of his home on the former Williston Avenue, north of the railroad tracks in Newcastle, when a strange, armed man entered his house. Foran, a 59-year-old World War II Vet and father of six, scuffled with the intruder and was shot in the chest with a sawed-off 12-gauge shotgun. When his wife, Patricia (Chamberlain) Foran came home at around 5:00 pm, she found his lifeless body on the floor.

The chain of events that led to this tragic incident began when 27-year-old Joseph Reginald Pitre and 19-year-old John Norman Mackenzie escaped from a provincial jail in Alberta, stole a car, and headed for Pitre's hometown of Bathurst, NB, engaging in a crime spree along the way.

While passing through the Miramichi region, they were informed by criminal elements that Yerxie Foran had a safe in his home thought to contain the proceeds of more than 30 years of bootlegging he did in conjunction with his taxi business. The prospect of obtaining a huge amount of untraceable cash was too tempting for the pair to resist, so they decided to stage a robbery.

Pitre and Mackenzie parked their stolen car down the street from Foran's house. Pitre remained behind the wheel, while Mackenzie, a Vancouver native, walked towards the residence with his weapon concealed. After picking the lock on the front door, he entered and was confronted by Foran. The shooting scuttled the robbery plan, and the pair hurriedly headed for Bathurst, empty handed. Foran's safe, which reportedly contained \$14,000, was never touched.

Later, the two escaped criminals drove to Moncton, where they switched their Alberta license plates for New Brunswick ones stolen at random. Then they returned to Bathurst. Meanwhile, a police investigation headed by Cst. Jean Frenette of the RCMP General Investigation Section was underway. A pair of men's gloves found in Foran's bathroom had hairs on them that would later link the two fugitives to the murder scene. Investigators obtained a description of their vehicle, a black Oldsmobile, and posted an all-points bulletin.

A police patrol vehicle in Bathurst soon spotted a car that matched the one described in the bulletin, and when it was learned that it had stolen plates on it, the two men who were in it, Pitre and a man named Donald Roy, were detained. After extensive questioning, Pitre led police to the home of a doctor who was away on vacation. When the cops raided it, they found John Mackenzie hiding under a sleeping bag in the attic, with a sawed-off shotgun (which was later determined *not* to be the murder weapon). He was arrested, along with Pitre, while Donald Roy was cleared and released.

Roy would later testify that Pitre and Mackenzie had been planning another robbery, in nearby Tetcouche. He said that John Mackenzie appeared rather casual and indifferent about the possibility of having to "blow people away."

Pitre and Mackenzie were both charged with second degree murder, in addition to a number of other offences from their time at large in Bathurst and elsewhere. In a Bathurst courtroom, they were convicted and sentenced to three years each for the lesser charges. The joint murder trial was scheduled for June but was postponed when Pitre was stabbed four times in an altercation at the Dorchester Penitentiary. There was speculation that Mackenzie may have been involved in the incident, but this

was never proven. In September, the murder indictment against Pitre was stayed, and he was instead charged with being an accessory after the fact. He pleaded guilty, and days before his 28<sup>th</sup> birthday, he was sentenced by Justice Claudius Legere to an additional five years in Dorchester.

The murder charge against Mackenzie, however, went to trial. A former Queens University student and army reservist, he was represented by Bathurst lawyer Terry Lenihan. Several conversations between him and Pitre, some of which were incriminating, had been secretly recorded while they were housed in adjoining jail cells. During cross-examination by Crown Prosecutor Fred Ferguson, Mackenzie confirmed that he had served as an explosives and weapons instructor while serving in the army reserves. He also admitted to being a subscriber to *Soldier of Fortune* magazine and to having considered becoming a free-lance "mercenary" in Latin America.

Mackenzie raised the ire of Justice Legere when he attempted to consult with his counsel in the middle of Ferguson's questioning. He explained that he was asking Lenihan why he hadn't objected to certain lines of questioning during cross-examination. In the end, he pleaded guilty to second degree murder. Lenihan stated that Mackenzie did not want his partner, Pitre, implicated in a crime he didn't commit and took sole responsibility for Foran's murder. Justice Legere sentenced him to life in prison with no eligibility for parole for 20 years.

Foran's Taxi is still being operated in the city of Miramichi by members of Yerxa Foran's family.

#### A QUESTION OF SELF-DEFENCE

In 1982, after 16-year-old Darlene Metallic and 22-year-old Robert Bartibogue, of the Burnt Church (*Esgenoôpetij*) First Nation, had been dating for three years, Darlene became pregnant. The relationship had been a stormy, abusive one. Bartibogue sometimes became aggressive when under the influence of alcohol, which he frequently was, and had previously been charged with assaulting two other women.

At the time, Darlene Metallic was residing with a cousin, Marlene Francis, while Robert Bartibogue had no fixed address. On the evening of September 30<sup>th</sup>, they were drinking together at the Francis residence. Metallic later claimed that she drank six beers, while Bartibogue consumed enough to be heavily intoxicated. An argument got going between them, and Bartibogue told Metallic that, now that she was pregnant, he wanted nothing more to do with her. She said he hit her in the face, in response to which she grabbed a knife and stabbed him under the ribcage. She then walked through the kitchen and out the back door, while he was calling out to her, clutching his side. He was mortally wounded, and was dead by 2:00 am.

Darlene Metallic was described by social workers, police officers and members of the community as a quiet, reserved and well-disciplined young woman. While some other witnesses to that night's events were uncooperative and evasive, she frankly admitted to stabbing Robert Bartibogue. She was charged with manslaughter, and when court proceedings got underway after her child was born, she pleaded guilty.

Although prosecutor Fred Ferguson and defence attorney Jack Walsh agreed that there had been no premeditation, and that Metallic was not a threat to society, it was felt that deterrence needed to be balanced against leniency. A custodial sentence of three years was imposed by Judge John Kelly.

At a residence on the Williamstown Road. Around 12:15 am, outside on the road, Joseph Sauntry shot and killed Stephen Cortes with a high-powered rifle, striking the younger man in the chest. He then fled into the woods on foot. The exact circumstances surrounding the shooting are not clear, but RCMP Sgt. Bob Murphy thought that Cortes had walked in on Sauntry in the act of molesting an under-aged family member and threatened to reveal the incident to others within the family.

On Sunday, fifteen police officers, including the RCMP Emergency Response Team, and two tracking dogs scoured the area, searching for Sauntry. He had been on the run for a little less than 24 hours when his body was found at 11:35 pm on Sunday evening, on the Parker Road, approximately three miles from where Cortes was murdered. He had used the murder weapon on himself, and it was lying near his body. A search patrol had passed this spot 20 minutes previously. Sauntry had shot himself in the interim, realizing that police were closing in.

Members of both families were understandably horrified by these events. In an interview published in the April 20<sup>th</sup> 1983 issue of the *Miramichi Leader*, an anonymous family member stated: "We still can't believe it. This is something you hear about but never think it will happen to you. They were good friends and the whole family was close. Stephen and Joe played ball together, partied together, went hunting together. I guess we haven't been able to comprehend everything as yet."

This was the fifth case of murder-suicide in Miramichi in just over 10 years. Besides the Noel and Brideau cases, as documented previously, another one had occurred around 3:00 am on Saturday morning, May 15<sup>th</sup> 1976, when 25-year-old William Wayne Lyons took a .22 caliber rifle and shot and killed 23-year-old Terrance Donald Beek in the yard of a Blissfield home. Lyons, who had just returned home to Blissfield from a job in British Columbia, then turned the rifle on himself.

Another murder-suicide happened in Quarryville on Monday afternoon, July 3<sup>rd</sup> 1978. A man named Eldon Astle, age 43, had become mentally unbalanced after his 11-year-old son was struck and killed by an automobile while bicycling along the highway in Millerton. In his desperation, the father shot his 22-year-old nephew David Harold Astle in the back of the head

## MURDER-SUICIDE IN WILLIAMSTOWN

Barb Cortes and Juanita "Fannie" Sauntry were involved in an unusual accident in May of 1976 that resulted in Cortes' demise. She had been attempting to jump from one moving vehicle to another when she was run over and killed. Seven years later, another tragedy would be shared between the same two families.

The Corteses and Sauntrys had been friends and neighbors for years in the tiny community of Williamstown, about seven miles southwest of Miramichi City. Twenty-year-old Stephen Joseph Cortes and 29-year-old Joseph Cecil Sauntry were both attending a birthday party on Saturday night, April 16<sup>th</sup> 1983, at

with a 20-gauge shotgun, and then turned the firearm on himself. This tragic affair transpired in the yard of Eldon's parents' home in Quarryville.

## DEAD IN DOAKTOWN

Gregoire J. Basque, 53, and Elva G. Carroll, 46, entered into a common-law relationship in 1982, and set up housekeeping in a small apartment in "Hamilton House" in Doaktown. Carroll had three grown sons from a previous relationship, and Basque had three children and five step-children from a failed marriage. He had been separated from Annie Swinimer since 1976.

By the autumn of 1983, Basque and Carroll were arguing and fighting on a regular basis because of his heavy drinking. After an especially harsh argument on Thursday night, October 13<sup>th</sup>, during which Basque destroyed some household ornaments, Carroll told him to "leave, and [not] come back."

Basque became extremely depressed. While staying with a step-daughter, Rita Swinimer, he would twist and turn all night on the Chesterfield muttering "my God, my God" and crying and shaking, holding his temple. Rita Swinimer said that he felt as though "the whole world was against him." On one occasion, he was standing on the Doaktown Bridge as though contemplating suicide, and his step-son, Gregory Swinimer, had to calm him down and get him back into his car.

On Sunday, October 16<sup>th</sup> 1983, Gregoire Basque went to pick up his pay cheque from his employer, a Mr. Storey. He told Storey that he would be leaving, and when Storey asked him if he was planning on returning to Saint John to work, he said "I'm going a little farther this time." Later that day, he asked his step-son Gregory to drive him over to Carroll's apartment. He had told Gregory about wanting to go on a bird hunt the next day, and Greg had loaned him his 16-gauge shotgun. Arriving at Hamilton House shortly before 8:00 pm, Basque said: "Wait for me; if I'm not out in five minutes you'll know everything is okay." Just as Gregory had made up his mind to leave, RCMP cruisers came screeching into the parking lot.

Downstairs neighbors said they had heard the couple arguing about Basque's pay cheque, among other things. After hearing

several loud noises, they telephoned Carroll's apartment, and receiving no answer, panicked and called Carroll's son to come over and check on his mother. In the meantime, Elva Carroll herself called the Doaktown RCMP detachment.

The police found Elva Carroll dead on the kitchen floor, shot through the chest with a round that exited through her right breast and lodged in the refrigerator. Gregoire Basque was prone on the living room floor with the shotgun lying underneath his legs. He had shot himself through the mouth and nose but was still alive. He was taken to the Dr. Everett Chalmers Hospital in Fredericton. His lower facial region was seriously damaged, requiring extensive reconstructive surgery, a tracheotomy and permanent throat implant, plus months of therapy.

In the meantime, the investigation was proceeding, headed up by Sgt. Max Lutes of the Doaktown RCMP detachment. In due course, Basque was arraigned at a special session of the Supreme Court conducted at the hospital, and charged with second degree murder. After being allowed some time to recover, he was brought before Judge James Harper in Fredericton on February 20<sup>th</sup> 1984 and referred to Centracare in Saint John for a psychiatric assessment.

A preliminary hearing was held in the Newcastle courthouse on April 2<sup>nd</sup> and 3<sup>rd</sup>, at which Basque appeared with his face and neck heavily bandaged, accompanied by a guard and a nurse. He was represented by defence counsels Robert Kenny and Gerald Grant. Crown prosecutors Fred Ferguson and Cindy Howie called sixteen witnesses, among them chief investigator Cst. Donald P. Vesey, pathologist Dr. John S. McKay, and personnel from the RCMP Crime Detection/Forensics Lab, including a serologist and specialists in the fields of alcohol, firearms and hair and fiber analysis. At the conclusion of the inquiry, Judge Robert Martin ordered Gregoire Basque to stand trial for the murder of Elva Carroll at the next sitting of the Court of Queen's Bench.

Before Basque's trial date arrived, the murder charge was withdrawn in return for a guilty plea to a charge of manslaughter. At trial on June 22<sup>nd</sup> 1984, suffering from a severe speech impediment, he had a written statement read aloud in court in which he said: "I want everybody to know how sorry I am."

After which, Judge John Kelly sentenced him to nine years at the federal penitentiary in Dorchester.

### THE MYSTERIOUS DISAPPEARANCE OF FRED SCOTT

Fred Scott was a husband, father and grandfather who lived in Strathadam, five miles west of Miramichi City. He worked at the Nelson Plywood Mill, then called Acadia Forest Products. On November 2<sup>nd</sup> 1984, he disappeared without a trace and was never seen nor heard from again. Strangely, neither was his two-tone, early 1980s model half-ton Ford pick-up. People have been wondering for 35 years what happened to Fred Scott and his truck.

Scott was a perfectionist over little things that wouldn't matter to most people, as though suffering from obsessive-compulsive disorder, and after he disappeared, it came to light that he had also been suffering from bouts of depression. Ominously, he had told a few people that if he were to go missing, nobody would ever be able to find him.

Many thought that Scott probably committed suicide by driving his truck into the Miramichi River. There are a number of locations where a vehicle could be driven directly into deep water. Over time, strong currents and undertows could conceivably carry a submerged vehicle a considerable distance along the bottom of the river.

Some of the more obvious locations, near wharves in particular, were searched for the truck. Between November 1984 and January 1985, the RCMP Underwater Recovery Team, under the leadership of Cst. Luc Beaucage, conducted four search and rescue dives, the last one being carried out at the Acadia Forest Products wharf in Nelson.

It was also speculated that Scott could have driven his Ford truck into an abandoned mine shaft or flooded tailings pit at the now defunct Heath Steele Mines, some 40 miles northwest of Miramichi City. One such pit was drained for this reason, but nothing was found. It was said that the water in the pit was highly acidic and corrosive, but it strains credulity to think that it could have dissolved the entire frame of a truck.

Some people expected that a hunter would someday happen upon the truck, deep in the woods, but not as of 2019. Foul play was not suspected but can't be ruled out. There is also a slim possibility that Fred Scott left to begin a new life elsewhere, under an assumed name. Seven years after his disappearance, he was declared legally dead, but the utter absence of clues, traces, leads or witnesses has deprived the family of any sense of closure.

Fred Scott was last seen wearing a green shirt and pants, a green GWG jacket and a blue Lounsbury Company cap. He is Caucasian and stands 5'8" tall and weighs roughly 190 pounds. He was driving a two-tone brown and beige Ford truck, early 1980s model with a white cab covering the box, license plate # C152973.

### A PRELUDE TO TERROR

As of the summer of 1986, the Miramichi area had been enjoying relative peace and harmony for some time. There had been no murders for nearly three years, and other violent crimes appeared to be on the wane. However, all that was about to change detrimentally. A severe forest fire broke out that summer in the woods behind Douglastown and Beaverbrook, forewarning worse events to come; specifically, a five-year rash of murders that would rank the Miramichi as the homicide capital of the country.

It all began on the night of June 21<sup>st</sup> 1986. Elderly storekeepers John and Mary Glendinning had been in business at Black River Bridge for years. Their small country store was a focal point, commercially and socially, of the little settlement about 10 miles east of Chatham. On the night in question, the couple locked up at the usual time and made their way across the yard to their home, as they had done a thousand times. At 10:30 pm, John was watching television and Mary was in the kitchen preparing a snack, when three masked intruders barged through the front door. They had heard rumors that the storekeepers had a safe in the house, but they had more than burglary in mind.

Both of the Glendinings were cruelly and savagely beaten. Sixty-six-year-old John died from strangulation, his windpipe

having been crushed and his skull fractured. Mary, 61, would barely survive the harrowing ordeal. She was beaten relentlessly and sexually assaulted at gunpoint. The crime scene was unimaginably horrific. There was even blood spatter found on the ceiling. The sheer hateful brutality was beyond comprehension. The intruders made off with a safe that contained an estimated \$45,000. After their departure, Mary managed to phone emergency services, as well as her daughter and son-in-law, who arrived ahead of police and paramedics. The intruders had cut the phone line but were not aware that there was a phone on the second floor on a separate line.

The ringleader of this unholy, murderous triumvirate was 38-year-old career criminal and veteran cat burglar, Allan Legere. Originally from Chatham Head, his rap sheet dated back to 1964, with charges and convictions ranging from break, enter and theft to armed robbery and assault. He was, in fact, on a conditional release and mandatory supervision at the time of the attack. Legere was widely known as a volatile, dangerous man. He had gotten into several violent confrontations while working as an overzealous bouncer at the Zodiac Club in Chatham in the late 1970s, a shady bar with a notorious reputation for drugs and brawls. Also, in a fracas at the 254 Wing on King Street in Chatham in 1979, Legere had smashed a beer bottle across a man's face and then slashed him with the shattered glass.

Legere's two accomplices were 20-year-old Scott Curtis and 18-year-old Todd Matchett. These young apprentices had been getting into deeper and deeper trouble of late, but now they were in over their heads. Todd was the son of Legere's long-time associate, Billy Matchett, of Newcastle, reputed to be a loan shark and stolen goods dealer.

After leaving the Glendenning home, Legere, Curtis and Matchett went to a secluded backroad in Bushville, between Chatham and Chatham Head, cracked the safe and split the contents. In no uncertain terms, Legere instructed the other two to leave town and head west. While Curtis and Matchett made their way first to Saint John, and then to Toronto, Legere lay low at the apartment he shared with his girlfriend, Christine Searle.

Meanwhile, RCMP investigators went to work. Mary Glendenning gave descriptions of her assailants, and soon the

"long arm of the law" was onto Allan Legere. He was apprehended within a week. In Toronto, after a drug-fueled marathon binge, Scott Curtis and Todd Matchett were turned in by an associate and were later returned to New Brunswick. Most of the stolen money was never recovered.

All three men were indicted for second degree murder. Curtis and Matchett pleaded guilty, while Legere entered a plea of not guilty and was slated for a trial by judge and jury before the Court of Queen's Bench, in the Judicial District of Miramichi.

Prior to the proceedings, the three men were remanded to Dorchester Penitentiary, where Curtis stabbed Legere, puncturing his left lung. This caused Legere's trial to be adjourned. Legere was attacked because he was blaming John Glendenning's death on the actions of the other two men, breaking the code that criminals are expected to observe by "ratting" on them. This meant that he would have to be kept in solitary confinement for his own protection.

Justice Paul Godin presided over Legere's trial. Fred Ferguson was the Crown prosecutor, and Legere was defended by acclaimed criminal lawyer David Hughes. On the witness stand, Mary Glendenning was forced to relive her nightmare experience, with the man who had murdered her husband and brutally accosted her sitting across the courtroom staring at her. The jury returned a guilty verdict, and Legere was sentenced to life in prison with no possibility for parole for 18 years. This was the same sentence that Curtis and Matchett received only they were eligible to apply for parole after 16 years. Legere promptly announced his intention to appeal.

In a 1994 book called *Confessions of a Young Criminal*, written with the assistance of maverick Miramichi writer Raymond Fraser, Todd Matchett recounted his version of the Glendenning robbery and murder, as well as the events leading up to and following those awful crimes. Reading between the lines, one gets a sense that Matchett was destined for disaster from an early age. Having served their debt to society, however, both he and Scott Curtis were eventually paroled. The *Telegraph-Journal* of June 15<sup>th</sup> 2019 reported that Scott Michael Curtis (alias "Michael Melanson") died on June 7<sup>th</sup>, at age 52, of an

undisclosed illness. The paper also stated that Todd Matchett was last known to be living in the Vancouver area.

Unfortunately, the Glendinning murder was only a prequel to the hellish reign of terror that Allan Legere would unleash on the Miramichi community during seven months in 1989. It was also just the beginning of the bloodiest summer in Miramichi memory: the summer of 1986.

### THE ESSENCE OF EVIL

Russellville is a small place about 10 miles downriver from Miramichi City. The Russellville Road leads north from Lower Newcastle to the Bathurst highway, more or less parallel with the Big and Little Bartibog Rivers. In the summer of 1986, Russellville was the scene of one of the vilest assaults imaginable.

Fourteen-year-old Gina Guitard and 13-year-old Tara Natasha Prokosh had been friends most of their young lives. Gina, who lived in South Esk, was spending a few days of her summer vacation with Tara and her family in Russellville. At 7:20 pm on August 11<sup>th</sup> 1986, the girls went riding their bicycles along the quiet country road. When they had not returned by 10:00 pm, Tara's family began to worry. Gina's parents were called, as were the RCMP. Family and friends searched in the vicinity throughout the night.

At around 6:30 am the next day, Gina's parents decided they would check out a dirt road that ran from the Russellville Road towards the Bartibog River. Called the Johnston Road, it led to a fishing and hunting shack known locally as "Flett's camp." It was near this camp that the two young girls were found. Tara Prokosh was dead; Gina Guitard was barely clinging to life. Both had been stabbed and sexually assaulted. The Prokosh family dog, Lucky, had remained at the girls' side all night.

Gina was rushed to hospital, where she slowly began a miraculous recovery. She was even able to help a police artist create a sketch of the slight, blonde, 20-ish murderer. Leads began pouring in to investigators. One tip told of a 22-year-old mill worker who bore an uncanny resemblance to the figure in

the police sketch. Had police followed up on this, they may have been able to save the life of another teenager.

Nineteen-year-old Theresa MacLaughlin was the single mother of an infant son. On the evening of September 21<sup>st</sup> 1986, she left her home in Neguac to go for a walk. The next morning, a man collecting cast-off bottles discovered her partially clad body in a gravel pit at the end of the William Gay Street extension, a mile from her home.

The Miramichi area, still reeling from the unsolved Prokosh murder, was now in a frenzy. There was talk of the two murders being linked and of a sadistic, homicidal, sex maniac on the loose. Hardware stores sold out-of dead-bolts, and gun sales soared.

RCMP investigators did quickly find a connection between the two murders. Co-workers of 22-year-old Kenneth "Kenny" Esson, who had recently been hired at the Acadia Mill in Nelson, told police that he bore a striking resemblance to the figure in the police sketch, and that he had recently permed his hair, altering his appearance. When police also learned that Esson had previously dated Theresa MacLaughlin, and that he owned a small white car fitting the description of a car seen in Russellville on the evening of the Prokosh murder, a target came clearly into focus. When Esson abruptly left town, the cops saw him as a sure bet.

Esson was born in Nelson but was placed in foster care at a young age, along with his siblings. He was raised in Neguac by a family named Lebreton. He was said to be quiet, unassuming, and non-descript. He was married but had recently separated from his wife.

When Esson left, he headed for Quebec, ran out of gas near Rivière-du-Loup, and for this or another reason, decided to return to the Miramichi. When he got back, the police were searching his house, and he was promptly arrested.

The backdrop to both brutal murders was revealed after Esson's apprehension. August 11<sup>th</sup> 1986 was his 22<sup>nd</sup> birthday. That morning, he stormed out of his home after an argument with his wife and went to a club in Newcastle, where he had a few drinks and smoked some marijuana. Later on that day, he was

New Brunswick writer Dorothy Dearborn included an account of the Esson case in her 1995 book, *Madness and Murder in New Brunswick*.

sitting in his car at a take-out in Lower Newcastle when he saw Prokosh and Guitard cycling along the bottom of the Russellville Road. He followed them, saw them turn down the isolated Johnston Road, and drove down that road also, parking his car a short distance from Flett's camp. He took a knife out of the glove compartment, got out and walked to the camp, ambushing the girls as they played near the shore of the Bartibog River. After he had assaulted and repeatedly stabbed both of them, he returned to his car, changed out of a pair of grey rugby pants into work pants and drove off. On his way home, he threw the knife out the car window. When he got home he had his wife wash the rugby pants.

Esson and his wife separated on September 16<sup>th</sup>. On the night of the 21<sup>st</sup>, he telephoned Theresa MacLaughlin to say that he was lonely and wished to talk. He picked her up and they parked at Sullivan's Beach, where he spoke of his separation. They also drank a few beers and had sex. Afterwards, she reportedly told him that he was the father of her infant son and threatened to inform his estranged wife of this. He choked her into unconsciousness; then drove to a remote gravel pit, where she regained consciousness and began screaming, calling him crazy. Outside the car, he knocked her to the ground and killed her by smashing her head in with a stone. He removed her pants and tied them around her head, in an apparent attempt to stifle her bleeding. He then carried her body up a small hill, placed an old lobster trap and some debris over it and vacated the scene.

On the day of Esson's arraignment at the Newcastle courthouse, over 400 people stood in the rain to catch a glimpse of him. He was charged with one count of first degree murder, one count of second degree murder, one count of attempted murder and one count of sexual assault. His trial was conducted in French, with translation provided for witnesses and the victims' families. Justice Paul Godin presided, with Ronald LeBlanc as prosecutor. Psychology professor Clément Loubert reported that, while being interviewed, Esson repeatedly said "I don't know why I did this." He received two consecutive life sentences, to be followed by two concurrent 15-year sentences. He would not be eligible for parole for 40 years, although after 15 years he would be eligible to apply to have that time reduced. As of 2016, he was still in prison.

### THE NIGHT THAT PADDY MURPHY DIED

In 1973, Earl Lewis killed Archie Mills, Jr. in the old Chat-ham lock-up. After appealing the first verdict and having a second trial, he was sentenced to 18 years in prison. On July 30<sup>th</sup> 1985 he was paroled on mandatory supervision.

Inmates of federal penitentiaries have their own chain of command, and it was known throughout Maritime penal institutions that the prisoner at the top of the convict hierarchy was Earl Lewis. The majority of inmates were intimidated by him. He could outfight the fiercest brawlers and lift more than the most dedicated weight trainers (He allegedly bench-pressed 315 lbs with ease). He had incited the infamous Dorchester riots of the early 1970s. In June of 1980, he orchestrated the hostage-taking of a correctional officer at Dorchester, leading to a tense period of full-scale anarchy on his range. He was usually respectful and cooperative, except when overcome by uncontrollable rage, which ultimately led to his undoing and ruination.

Shortly before 10:00 am on Tuesday morning, October 14<sup>th</sup> 1986, Lorraine Moar was walking along the railroad tracks in downtown Chatham when she came upon a dead body on the bank of the Miramichi River, near an abandoned wharf behind the old Loggie buildings. The deceased was found to be 39-year-old Chatham cabdriver Patrick Raymond "Paddy" Murphy. He had been stabbed numerous times. Alongside the body was a large bloodstained rock. This was the fourth murder in as many months in the Miramichi area.

Paddy Murphy was described by those who knew him as friendly and peaceful. He was also well-dressed, neat and tidy. Employers Gumpy Gorman and Larry Lynch stated that he always kept his taxi meticulously clean. He had spent 15 years in Winnipeg driving cab and had just recently returned to his hometown. He and his partner, Virginia Ryan, had a son.

The previous afternoon, Paddy Murphy and Earl Lewis were drinking at Murphy's residence on Lower Water Street. At approximately 3:00 pm they invited Wayne Williston to join them, as he was walking past on his way to the Chatham AA Hall. The trio drank a substantial amount of beer and wine over the next few hours and then left in Murphy's car and bought more from at least two bootleggers. At some point in the early evening, they encountered Abby Brown and shared a few drinks with him. After driving him home, they landed back at Murphy's place.

At roughly 9:00 pm, Murphy, Lewis, and Williston pooled their money for another bottle of wine and sent Williston in Murphy's car to pick it up. Leaving the bootlegger, Williston neglected to switch on the headlights and was soon engaged in a high-speed chase with the police. He sped past Murphy's place and later skidded off the road, crashing into a hydro-pole. He was taken to the hospital with moderate injuries.

When the police showed up at Murphy's door, he accused Wayne Williston of stealing his car, which did not sit well with Earl Lewis. According to the code observed by criminals and convicts, that was "rating." Williston had been present at the Chatham lock-up 13 years earlier, when Lewis killed Archie Mills and hadn't made a statement against Lewis, so he deserved better treatment. After the police left Murphy's place, Murphy and Lewis also left, walking towards downtown Chatham on the railroad tracks near the waterfront. It was here that Lewis' anger over Murphy's violation of the "code," or this and more, overcame him, and he attacked Murphy, stabbing him a dozen times and cutting his throat. He was careful to avoid getting any blood on his clothes. Donald Comeau, a neighbor of Murphy's, later testified that he heard a voice he recognized as Murphy's arguing with somebody on the railroad tracks around 10:30 pm that night.

At 11:00 pm, Lewis showed up at the Urban Corral, a bar in downtown Chatham, and asked waitress Bev Searle to call the club's owner, Harold Dickson. Dickson came and met privately with Lewis in a backroom. When Lewis told him what he had done, Dickson advised him to call the police. Instead, he called Paddy Murphy's brother George. It was later revealed that the Murphy brothers had been feuding with one another to the point

that death threats had been uttered and shots fired at one of their homes. Lewis told George Murphy that he killed his brother.

The next morning, around the time Murphy's body was discovered, Lewis paid a visit to Wayne Williston in the hospital to tell him that he need not worry about being charged with stealing Murphy's car and to inform him of the previous night's events. Within hours, Lewis was apprehended. He told police that Murphy had brandished a knife, and that he killed him in self-defence. To those who knew the 140-pound Murphy and how "cowardly" he was, this was laughable.

At trial, a jury of his peers found Earl Lewis guilty of second degree murder, and Justice Paul S. Creaghan sentenced him to life in prison with no possibility of parole for 20 years. The sentence was appealed. The day before Lewis' appearance before the New Brunswick Court of Appeal, the director of prosecutions, Robert Murray, and his staff were very concerned about the adequacy of security arrangements. Because of Lewis' physical strength and history of erupting quickly if provoked, it was felt that more than the usual number of security personnel would be needed.<sup>101</sup>

Fortunately, there was no outburst. The appeal was unsuccessful. Lewis was confined to the recently-opened Atlantic Institution, a maximum security federal penitentiary in Renous, about 25 miles west of Miramichi City. Once again, Lewis was top dog among the inmates at Renous, just as he had been at Dorchester – until he died of inoperable brain cancer in April 1991, at the age of 46.

#### SCALDED INFANT

Linda Sanford was a young, single mother of two in 1985, when she moved into an apartment in Chatham with Gilles Joseph Drisdelle. It seemed that Drisdelle got along well with the two children, Tanya and Randy, and became somewhat of a father figure to them. He would often babysit them between noon and 7:00 pm, when Linda was out at work.

Such was the case on Sunday, January 18<sup>th</sup> 1987. When Linda left the apartment at about 11:45 am, both children were

asleep in their bedroom with the television set turned on. At 1:00 pm, she received a phone call at work from Drisdelle, who told her that he had accidentally burned 2½-year-old Randy when the handle of a kettle broke in his hand, and he wanted Linda to come home right away. Believing that the child had merely been splashed with hot water, she instructed Drisdelle to take him to the emergency room at the Hotel Dieu Hospital in Chatham, while she stayed at work until a person came in to relieve her. When she finally made it to the hospital, she discovered that Randy was in critical condition and was going to be transferred to the Moncton Hospital. She was horrified to see him covered with a sheet and both of his ears blistered.

Gilles Drisdelle insisted that the burning, or scalding, was accidental – first when the handle of the kettle broke and then when, in an attempt to cool those burns, he unknowingly filled the tub with hot water instead of cold. Linda rejected this explanation, and that evening at the Moncton Hospital, the attending physician stated that what happened to the child was “no accident” and demanded to know the truth.

It became evident that little Randy Sanford had received immersion burns to his legs, his back and the back of his head. Sixty percent of his body had been burned, and 90 percent of the burns were third degree ones. His case was so severe that he was later taken to the burn unit of the Shriners Hospital in Boston, where he would undergo over 20 operations during the next few years. His entire back required skin grafting. He was left with permanent scarring to most of his body and a life-long, extreme sensitivity to heat and cold. After the first trip to Boston, Gilles Drisdelle departed the relationship with Linda Sanford.

The initial police investigation was conducted by Chatham cop John Foran, who determined that the hot water temperature at the tap was 185° Farenheit, while it was 155° in the tub. There was no evidence that the kettle had broken. However, no charges were laid. A second investigation headed by Cst. Dan Pugh determined that the evidence was insufficient to sustain a charge.

Not until Randy's grandparents, Keith and Vera Sanford, pressured Acting Deputy Police Chief Donald Butler to look into all that had gone on were meaningful results finally obtained.

Cst. Randy Hansen, to whom Butler assigned the case, discovered that vital evidence had been destroyed following the second investigation, when it was deemed to be a closed case. Hansen also learned that neither of the first two investigators had gone to Boston to speak with hospital staff at the Shriners burn unit, in spite of the fact that Vera Sanford had been assured that all avenues had been exhausted.

The upshot of this investigation was that Gilles Drisdelle, now 38 years of age and living in Scarborough, Ontario, was charged with aggravated assault against Randy Sanford and scheduled to appear before the New Brunswick Court of Queen's Bench for trial in May of 1994.

Drisdelle's trial was conducted in French with translation provided for various witnesses and for Sanford's family. Among the witnesses called by prosecutor Bill Morrissey was Dr. Susan Briggs, director of the burn unit at the Shriners Hospital. She testified that Drisdelle's explanation regarding the “broken handle on the kettle” was implausible, and as for his contention that he had inadvertently placed the infant in a tub filled with scalding hot water, she stated that to sustain third degree burns, the child would either have had to be unconscious (in a coma or having a seizure) or to have been “held down.”

Nurse Janet Malenfant testified that Randy Sanford told her that Drisdelle had “hit him with a shoe and put him in the tub.” At the time of the trial, Randy was 10 years old and would continue to need surgeries until he was 20. As he grew, his burned skin would tighten, and incisions would be required. The experience had also drastically affected him emotionally and psychologically. Grandmother Vera told news reporters of the nightmares he had and the fears he expressed, and of how he would scream and cry in anticipation of each painful surgery.

Drisdelle took the stand on his own behalf, but his version of events was not accepted by Justice Thomas Riordon, who found him guilty of aggravated assault and sentenced him to four years of imprisonment. The victim's family were vocal in protesting the “leniency” of the sentence, but after seven long years, some measure of justice had been meted out to one who had seriously abused an innocent, vulnerable child.

## A HORRIBLE FATE

November of 1987 would prove to be one of the strangest months in the annals of Miramichi, or Northumberland County, crime. Burnt Church (*Esogenôpèti*) First Nation, with a population of approximately 1,000, had been experiencing problems with roaming packs of dogs exhibiting pack behavior. Not only was this a nuisance, it was potentially dangerous for pets and even children.

At about 4:30 pm on Thursday, October 29<sup>th</sup> 1987, a human skull was found on the lawn of Thomas Metallic's residence in Burnt Church. It had been dragged there by dogs. The skull still had bits of flesh on it, indicating that the remains belonged to somebody who had only recently died.

Burnt Church constables asked the Neguac RCMP detachment to mount an investigation. Police scoured the area, discovering that the dogs had scattered body parts over a wide section of woods and brush. Before they finished, searchers lined up shoulder to shoulder and conducted an extensive scan of an 8-acre parcel of land. Within a quarter mile of Metallic's property, the lower part of a human leg was found, from the knee joint down, with a sneaker still on the foot.

Helicopters were deployed, and as they passed overhead, children who playfully ran along with them happened upon pieces of clothing that proved to belong to the deceased, who by this time had been identified as a middle-aged Aboriginal male. Dentures were also located. Moira McLaughlin, an anthropologist at the University of New Brunswick, was called upon to help with the macabre case. Bones and other evidence were sent to the RCMP forensic laboratory in Sackville, NB.

Based on the natural teeth that were still intact on the skull, Dr. Donald Lobban, a Chatham dentist, identified the deceased as Noel Joseph Denny, of Eel Ground, a man with a criminal record dating back to 1962, when he was imprisoned for two years for robbery and assault. It was estimated that the 52-year-old died roughly a week prior to his remains being discovered. Foul play was strongly suspected, and Sgt. Gilbert Geddes of the Neguac RCMP headed up an investigation. New Brunswick Crime Stoppers received several anonymous tips. Police refused to confirm rumors that the body had been dismembered with a

chainsaw, although one or more members of the community reported hearing one running before sunrise one morning. The arms and torso were never found.

As November wore on, tips continued coming in to investigators. One afternoon in mid-November, two individuals were picked up for questioning, but they were released later that evening. In early May 1988, 24-year-old Robert Metallic and 33-year-old Marjorie Martin, both of Burnt Church, were reported missing. It was rumored that Metallic had some knowledge of Noel Denny's horrible fate. In late May, trout fishermen spotted a car at the bottom of the Miramichi River, just off the Burnt Church wharf. The bodies of Metallic and Martin were found inside. Autopsies revealed that the pair had drowned and investigators stated that there were no signs of foul play. Nothing more was ever reported in the press pertaining to the death of Noel Denny.

## AN EYE FOR AN EYE

In 1987, while dogs were dragging body parts around the Burnt Church reserve, the community of Chatham Head, which was certainly no stranger to violence, experienced a most peculiar double murder. This was not one in which one perpetrator kills two other people but the much rarer type of double homicide in which two individuals kill one another.

Sixty-five-year-old bachelor William "Billy" Woods was a quiet, reclusive man. A veteran of World War II, he lived by himself at the end of the Old Ferry Road in Chatham Head. Neighbors claimed that they rarely saw him, and that his secluded home was in darkness most of the time. He would walk across the Morrissey Bridge to Newcastle once or twice a week for groceries, but his only companion, it seemed, was his little dog, Rex. Billy would be seen walking around his yard at night with a flashlight, Rex at his heels, checking on outbuildings on his property that he rented out when he could.

On the evening of November 7<sup>th</sup> 1987, it would seem that Billy Woods was the target of a foiled robbery. A man later identified as John Wayne MacPherson, age 43, a native of Nova Scotia, went to the door of Woods' home that evening. Nobody

knows what transpired between them other than the final outcome of it.

The next morning a passerby saw the body of a man lying in the yard of Woods' home and assumed it was Woods himself. However, it was the body of MacPherson, who had been shot through the heart. When police arrived, they were forced to break a window to gain entry to the home. This was done so as not to disturb potential evidence in the vicinity of the front door. After placating Rex, they located the body of the homeowner in his bedroom. His throat had been slashed.

Once it was determined that the man lying dead in the yard was not Woods, police searched his pockets and found a wallet with identification belonging to Paul Estey, of Sevogle. Mistakenly thinking that the dead man was Estey, the police contacted his father, Ernest Estey, an employee of the REPAP pulp and paper mill, and asked him to come to the morgue to identify the body of his son. It was only when he arrived at the morgue and identified the dead man as somebody other than his son that the police realized that the wallet had been stolen. The dead man was later identified as MacPherson, whose nickname was 'Bad News,' and who had no fixed address.

The New Brunswick justice department took a special interest in this bizarre case. Provincial Chief Coroner John Evans ordered an inquest, which came to an abrupt end once the possibility of a third participant in the killings was ruled out.

Billy Woods was survived by a brother, Jimmy, who lived in Portland, Maine. A sister in Miramichi had died ten years before. The following spring, arsonists completely razed Woods' home in three separate fires. An RCMP spokesman commented: "Whether it's superstition or whatever, it appears when something like this happens, the home is destroyed." The homes of murder victims Beatrice Redmond and Nick Duguay in Chatham Head were also destroyed in fires.

however, stand head and shoulders above the pack in terms of notoriety and the brutality of their deeds. Justin Bourque, for example, the young Moncton sociopath who waged a one-man war against the RCMP in 2014, gained national notoriety for ambushing and killing three police officers and earned a place in Canadian legal history when served with the stiffest prison sentence ever meted out in the country: three consecutive life sentences, with no parole eligibility for 75 years.

As already detailed in these pages, the Miramichi has had a number of killers who committed multiple murders, such as Robbie Cunningham, Earl Lewis, and Kenny Esson, but beyond a shadow of a doubt, the vilest, most loathsome, and most destructive killer of them all was Allan Legere, "the Monster of the Miramichi."

Allan Joseph Legere was born on February 13<sup>th</sup> 1948. Some people who remember him as a youth use words such as "polite" and "charming" to describe him; others use phrases such as "trouble maker" or "bad little bastard." In any event, his criminal record dates from 1964, when at age 18, he was charged with theft and mischief. During his teenaged years he also cultivated a reputation as a tough streetfighter. He was absent from the Miramichi for four years in the late 1960s, working as a pharmacist in Ontario. In this period, he was briefly married, and fathered a son and a daughter. He returned to his home province in 1970 and resumed his criminal activity.

The Miramichi area experienced a drastic increase in crime during the first half of the 1970s. Break-and-enters, thefts, burglaries, armed robberies and other violent crimes went from being a rarity in 1970 to a commonality by 1975. It was during these years that Allan Legere was honing his skills as a thief and break-in artist. He also became notorious for his violent conduct. In the late '70s, as noted previously, he worked as a bouncer for the Zodiac Club in Chatham, a disco patronized by an element of the population that made it a hot spot for illicit drugs, shady dealings, and violent brawls. The place gained such a dark reputation that most people were afraid to go there. Legere managed the club for a time, and patrons had to be willing to contend with his bullying and his harassment and groping of women.

## THE MONSTER OF THE MIRAMICHI

Like many another place on the map, New Brunswick has had its share of cold-blooded killers. Some of these murderers,

In 1979, Legere was sentenced to jail for two years after nearly blinding a man in a bar fight. Following his release, he relocated to Moncton with a new girlfriend. Engaging again in a series of thefts and burglaries, he was arrested, tried, and sentenced to three years in a federal penitentiary. While incarcerated, his girlfriend sold their mobile home and left Moncton. This infuriated him, and no longer having a home there, he returned to Miramichi.

As noted in "A Prelude to Terror," in June of 1986, together with Scott Curtis and Todd Matchett, Legere was responsible for a robbery, brutal assaults, and a murder that earned him a sentence of life in prison with no parole for at least 18 years. Most Miramichi residents saw this as the final chapter in the story of Allan Legere, but they were sadly mistaken.

While being held in solitary confinement at the maximum security Atlantic Institution in Renous, Legere got an ear infection. He was taken to see a specialist in Moncton on a couple of occasions, and on May 3<sup>rd</sup> 1989, three correctional officers escorted him to the Moncton City Hospital for a follow-up appointment. Upon arriving at the hospital, he told one of the guards that he needed to use the washroom. When being led towards a communal washroom in handcuffs and leg shackles, he said he was too embarrassed to use it and asked to be taken to a private one down the hall. After being inside alone for a few minutes, he suddenly barged through the door, handcuff and shackle-free, brandishing a collapsible TV antenna that he had smuggled out of the prison. Running past the startled guards, he made his way outside to the parking lot, where he hijacked a car being driven by a woman named Peggy Olive.

A few blocks along, the terrified woman was let out and Legere continued on his way. It was later discovered that he had hidden a makeshift key inside of a cigar. On the drive from the prison to the Moncton Hospital, he had used it to pick the lock on his handcuffs. Inside the washroom, he picked the lock on his leg shackles and retrieved the makeshift weapon from his rectum. It was also later learned that his ear infection was caused by a self-inflicted wound to his ear that he infected with urine. Peggy Olive's vehicle was found abandoned near a rail-yard in Moncton. A convicted murderer was now on the loose.

Four days after Legere's escape, 62-year-old Max Ramsa was jumped from behind by an unknown assailant at his barn in Truro, Nova Scotia. His attacker commandeered Ramsay's 198 Chrysler sedan. The next day, Ramsay's wallet was found floating in the Miramichi River, and a short time later, his car was found submerged off Ritchie's Wharf in Newcastle. Legere had returned to his old stomping grounds.

On the night of May 28<sup>th</sup>, a fire broke out in a building on Water Street in Chatham that housed a convenience store and apartments. The store was operated by elderly sisters-in-law, Annie and Nina Flam, who also lived in the building. Nina was rescued from the blaze by a passerby, but after the fire was brought under control, fire fighters discovered that Annie Flam, age 75, had been brutally murdered in her bedroom before the fire was started. Both women had been assaulted, physically and sexually. Although badly burned, Nina miraculously survived and was able to provide a description of her masked attacker. Initially, police were hesitant to connect Legere's name to the heinous act of robbery, rape, murder, and arson, but the public hadn't the slightest doubt about who was responsible for it.

Throughout the summer of 1989, police continued to work on the Flam case, and the longer it remained unsolved, the more it came to be wondered if somebody other than Legere was behind it. Meanwhile, Legere remained at large, being harbored, mainly suspected, by one or more of his former criminal associates. There were various reported sightings of him, but nothing came of them.

Single, middle-aged sisters Donna and Linda Daughn lived in an area of Newcastle insensitively known as "Injuy town," 45-year-old Donna being fiercely protective of her sister, the introverted 41-year-old sister. Early on the morning of October 13<sup>th</sup> 1989, a volunteer fire fighter saw smoke emanating from the Daughney home, and when emergency services personnel arrived, they discovered that both women had been mercilessly raped and murdered. It was now clear that the Miramichi region was under siege by a sadistic serial killer.

There was suddenly a heavy police presence in the community, RCMP, along with Newcastle and Chatham municipal police.

forces, increased their patrols. Helicopters and canine search units were employed. Specialized tactical units dressed in camouflage fatigues staked out areas in the woods. Townsfolk were terror-stricken, particularly the elderly. Many slept with loaded firearms at the ready. Flood lights, motion sensors, deadbolts and police scanners flew from store shelves. A 9:00 pm curfew was imposed. Halloween activities were canceled that fall. It was hard to believe that one man could continue to evade a legion of law enforcement officers, but that was the reality of the moment. New Brunswick was on the national news as never before, as press from across the country descended on the community. Where would the killer strike next?

Legere's next attack seemed to have been planned for maximum shock value. Parishioners of the Nativity of the Blessed Virgin Mary Roman Catholic Church in Chatham Head grew uneasy when their priest, Father James Smith, failed to arrive on time for evening Mass on November 15<sup>th</sup>, and a few men went to the rectory next door in search of an explanation. What they found would haunt them for the rest of their lives. Sixty-nine-year old Father Smith was dead, after having been tortured and mutilated in gruesome, unspeakable ways. Citizens throughout the area were dumbfounded. It was shockingly evident that nobody was safe from the monster who was on the loose. There was talk of bringing in the army.

Police found Father Smith's car abandoned near the train station in Bathurst. It was later learned that Legere took the train from there to Montreal, where he spent a week. He then returned to New Brunswick. In Saint John, on November 23<sup>rd</sup>, he spent the majority of the day drinking in a tavern on the city's west side. The fact that he had lost a good deal of weight and was clean shaven probably helped keep him from being recognized that day.

had a separate set of keys with which she and the taxi driver were able to make their escape. Undeterred, he then hijacked an 18-wheeler and demanded that the driver of the rig take him to Miramichi.

However, with winter on the horizon, he seemingly knew that the chase had to be over. The word was out on his whereabouts, and RCMP cruisers were soon trailing the hijacked truck. When they forced it to stop on a back road in Nelson, Legere surrendered without a fight. He looked so different that police initially thought that the trucker was the man they wanted. The 7-month reign of terror was over. Four innocent people had been brutally slain. For decades to come, the residents that lived through the killing spree would never forget the intensity of the fear that one homicidal madman was able to instill in the population of an entire region of the province.

Allan Legere was charged and ultimately convicted of four first degree murders. His trial was the first in which the relatively new forensic procedure of DNA fingerprinting was used in a murder case in Canada. Semen specimens taken from Annie Flam and the Daughney sisters were a match, and a bloody footprint found in the Chatham Head rectory placed him at the scene of Father Smith's murder. A pawnbroker from Montreal testified that Legere sold him jewelry that belonged to the Daughney sisters.<sup>102</sup>

The Monster of the Miramichi spent more than 20 years in Quebec's supermax prison, known as "the SHU" or Special Holding Unit, where other deplorable killers such as Paul Bernard and Clifford Olsen were housed. A few years ago, he was transferred to a maximum security facility in Alberta.

#### "THE DEVIL IN HIS EYES"

The night of November 24<sup>th</sup> 1989 was calm and unseasonably warm. Ever since early morning, when serial killer Allan Legere was captured, ending his seven-month reign of terror, peace and serenity had prevailed throughout the Miramichi region.

That evening, 64-year-old Sara Lynch and a friend were standing outside taking in the fresh air after finishing their

Whether by accident or design, he left several handwritten pages of notes behind at the tavern. To get back to the Miramichi, he first hijacked a taxi, and then without releasing the taxi driver, hijacked the personal vehicle of an off-duty RCMP officer on her way to Prince Edward Island. Both she and the taxi driver were his hostages. When they had to stop for gas at Sussex, and he went in to pay for it, he didn't know that the police officer

weekly Auction 45 card game. The friend remarked about the beautiful evening and how relieving it was that the “devil” Legere was finally off the streets. Sara, with eerie prescience, said that unfortunately, he wasn’t the only devil on the streets. Sara Lynch then said something that would haunt her friend for years to come. Alluding to her daughter’s boyfriend, Jason Black, she said: “I see the devil in his eyes.” Fifteen days later, both Sara and her 19-year-old daughter, Rhonda, would be murdered by this latest Miramichi killer.

Rhonda Lynch had a difficult childhood, having been born with severe curvature of the spine that had required numerous surgeries. Throughout her ordeal, however, she remained positive and upbeat. By the summer of 1989, she was the single mother of a 9-month-old son. In July she began dating 17-year-old Jason Stephen Black, and although her father did not approve of him, Black was soon spending much of his time at the Lynch residence. He claimed that his mother, who was renting an apartment in “Rundle House” in Newcastle, would be moving out west. Unbeknownst to her landlord, her son Jason was living in a room in the attic.

Black’s parents divorced when he was quite young, and the relationship he had with his mother was atypical. During his teenaged years, he and his mother frequently “partied together.” He also began drinking at an early age and became involved in petty crime, mostly theft.

On the night of December 9<sup>th</sup> 1989, Jason Black and Rhonda Lynch attended a house party with friends, Rhonda Butler and Tracy Comeau. They left around 11:30 pm and took a taxi to a Newcastle bar, The Ebb Tide. Witnesses saw them arguing with each other around “last call,” just before 2:00 am. When the bar closed, they went to Lynch’s home.

The next afternoon, Daryl Lynch, who was Sara’s son and Rhonda’s brother, discovered both of their bodies in the family’s Jane Street home in Newcastle. They had been strangled to death. Rhonda’s 14-month-old son was found unharmed. Raymond Lynch, who was Sara’s husband and Rhonda’s father, was in the hospital at the time. His half-ton truck, which he had left sitting in the driveway, was gone.

Early that morning, Black had stolen the truck and was headed to Toronto. When the truck broke down at Fredericton, he abandoned it and boarded a bus to Edmundston. He had taken a quantity of jewelry and a change jar from the Lynch home which he was offering for sale that day. From Edmundston, he telephoned his mother in Newcastle. By this time, RCMP officers were on his trail, and he was apprehended at the Edmundston bus station.

Because he was a minor, Black was held at the youth correctional center at nearby Saint-Hilaire. Provisions of the *Young Offenders Act* prevented his name from being released or published. Judge Robert Martin ruled, however, that he would be tried as an adult and the case transferred to adult court. He was indicted with two counts of second degree murder.

A trial by judge and jury began in October of 1990, with Justice Thomas Riordon on the bench, Fred Ferguson prosecuting and defence counsel Henrik Tanning, of Saint John, representing the accused. Soon after it got underway, Black changed his plea to guilty. Because the trial had already begun, the jury was required to deliberate and return a verdict based on Black’s changed plea. He was declared guilty and given two concurrent life sentences with no parole for at least 15 years.

While incarcerated in Vancouver, Jason Black began a correspondence with a woman who agreed to marry him. During a conjugal visit, he attempted to choke her to death. In 2010, he was issued day parole in order to attend a treatment program for substance abuse, but he breached his conditional release by testing positive for cocaine and heroin. The parole was revoked, and he was still behind bars as of 2016.

#### BLACK RIVER PATRICIDE

On the evening of February 1<sup>st</sup> 1990, domestic violence at a Black River residence resulted in the stabbing death of 74-year-old John Gordon Ross. A husband to Clara Williston, and a father of eleven, Ross was retired from the Chatham Transportation Department, where he had spent 20 years as a utility worker, based out of the Bay du Vin garage.

When Clara Ross left her Black River home at 6:50 pm that evening to attend bingo, her husband John was asleep in the upstairs bedroom. There was nobody else in the house. At roughly 7:30 pm, an ambulance was called to the home, but the attendants were unable to resuscitate John Ross, who had been stabbed six times, once directly in the heart.

Police were satisfied that the victim's 42-year-old son, Gerald Joseph, who went by the surname "MacDonald," was the murderer. It was he who made the telephone call, although he later claimed that he didn't remember doing so. When the ambulance attendants arrived, he was observed through a window passed out at the kitchen table with a bottle of wine between his legs and a burned-out cigarette dangling from his lips. He was immediately taken into custody.

MacDonald was a bachelor who lived in the small farming settlement of Laketon, on the road between Miramichi and Richibucto. He was an alcoholic, who after numerous stays in detox over the past 20 years, had never remained sober for more than a few months. He displayed no remorse over the death of his father, saying that he started drinking wine as soon as he woke up that day and had no recollection of the stabbing.

Keith Breman, who lived near John Ross, stated that MacDonald visited him around 6:30 pm that evening. He said he had been drinking heavily and said something to the effect that he was going to "kill Johnny." Initially charged with second degree murder, he agreed to plead guilty to the reduced charge of manslaughter. His attorney was Weldon Furlotte.

An extensive pre-sentence report was prepared and presented to the Court of Queen's Bench by Crown Prosecutor Fred Ferguson, with contributions from MacDonald's probation officer. The report told of long-standing animosity between the estranged father and son. MacDonald claimed to have been the recipient of hostility and physical abuse throughout his youth. It was because the relationship was so fraught that Gerald adopted his grandmother's maiden name as a surname. It was theorized that the paternal rejection he had been subjected to during his formative years most likely accounted for his severe alcoholism and feelings of inadequacy. He had only a grade 2 education, and his cognitive skills and mental capacity were subpar.

During the four years prior to the murder, police had responded to no fewer than 38 disturbances and complaints at the Ross residence. Although no charges had ever been pressed or laid, MacDonald had previously threatened his father with harm, and his father had taken the threats seriously.

Prosecutor Fred Ferguson called to the attention of the court the extent of the current Miramichi crime wave, noting that Statistics Canada had calculated the area's present murder rate at 17.4 victims per 100,000 people, as compared with Montreal's rate of 4.7. Ferguson was seeking a sentence that would serve to deter alcohol-fueled domestic violence. Justice Thomas Riordon sentenced Gerald MacDonald to serve eight years in prison, with a strong recommendation that he seek counseling for his substance abuse.

#### SINISTER SACRILEGE

Nearly four months to the day after parishioners found the murdered and mutilated body of Rev. James Smith in the rectory of the Nativity of the Blessed Virgin Mary Church, the faithful and the community at large would be forced to countenance another blasphemous homicide by a deranged killer. In March of 1990, a nun was ruthlessly shot to death in the Roman Catholic Church of St. Anne at Baie-Sainte-Anne.

Sister Florine Brun was born and raised in Cap-Pelé, NB. In 1948, she joined the Order of Our Lady of the Sacred Heart and spent the next several years teaching French, literature and religion at a Catholic high school in Bouctouche. In September of 1989, Sister Florine was assigned to Baie-Sainte-Anne, where she assisted Father Alphonse Richard with pastoral duties at the Church of St. Anne. During her brief tenure there, she made friends readily and was seen as a model of Christian piety.

On Monday evening, March 12<sup>th</sup> 1990, Sister Brun conducted an adult choir practice between 7:00 and 8:00 pm – the choir learning new hymns in preparation for the Lenten and Easter period. At 9:40 pm, Father Richard, having just returned from visiting his parents in Rogersville, noticed lights on in the church, and upon investigation, found Sister Brun lying near the

contraband cigarettes and dealt with arms and prohibited weapons. As part of the ruse, they flashed around thick wads of cash.

The success of the operation depended on securing a confession from McIntyre. These "criminals" were only interested in hiring somebody they could trust, somebody who could keep a cool head, somebody that could kill if need be. The naive, gullible McIntyre assured them that he was the right man for the job and gave them a detailed description of Brun's murder, including facts that only the murderer could know.

"Operation: Javelin" was such a success that it took only 10 days from initial contact to gaining McIntyre's trust and getting the confession. To ensure that he gave the undercover agents an accurate story, they told him that they had "connections" in law enforcement that could access police files in order to verify his claims. Commonly referred to as a "Mr. Big" operation, this tactic for obtaining confessions became standard practice in police departments in many jurisdictions, but it has been encountering some legal challenges of late.

Marven McIntyre was charged with second degree murder. At his trial, Justice Roger McIntyre (no kin) was on the bench. The prosecutors were George Chiasson and Bill Morrissey and the defence attorneys Paul Arsenault and Martin Aubin. The trial was conducted in French.

Undercover RCMP operatives Clairmont Tremblay and Mike Dorman proved to be the star witnesses for the prosecution. They testified that McIntyre's description of the shooting, and the sequence of the four shots that he said he fired at his victim corresponded with pathologist John MacKay's report on Brun's wounds. McIntyre told the undercover officers that he shot Brun three times in the chest and then stood over her prone body and shot her one final time in the head "just for the pleasure of it." Dr. MacKay had already determined the sequence of the wounds and that the killer would have been standing over the victim for the final shot. McIntyre also told Tremblay and Dorman that he only collected two of the four ejected shell casings after the shooting. He was forced to leave the other two at the crime scene because the church was dark and he couldn't find them. This also matched evidence found at the scene which had been withheld from the public.

The perimeter of the church was cordoned off. Investigators learned that a strange man had been seen in the neighborhood, both before and after the shooting. He was quickly identified as 37-year-old Marven McIntyre, and that night, police visited him in the small apartment he shared with his mother in a home for the elderly. While they were there, they saw a pair of pants folded over the back of a chair, the legs of which were wet from the knees down.

In the early morning hours of March 13<sup>th</sup>, McIntyre was taken to the police station for questioning, and his coat was sent to the RCMP lab in Sackville for analysis. Later that day, a search warrant was executed on the apartment which he shared with his mother, but nothing of significance was found. After another extensive round of questioning on the night of the 13<sup>th</sup>, he was detained for the murder of Florine Brun, and an order was obtained to have him sent for a psychiatric evaluation.

The laboratory at Sackville did not find incriminating evidence on the pants, and McIntyre was released from custody. There appeared to be no motive for him to have murdered Sister Florine. A .32 caliber revolver was found buried in the snow outside the apartment where he and his mother lived, which ballistics experts declared to be the murder weapon. However, no prints were found on it, nor any provenance established.

In August, after Marven McIntyre had moved to Montreal, RCMP Cpl. Clairmont Tremblay formulated a plan for an undercover sting operation. This was approved, and on October 2<sup>nd</sup> 1990, "Operation: Javelin" was launched. Two undercover operatives approached McIntyre in Montreal, posing as "underworld figures." They claimed to be heavily involved with organized crime and were looking to recruit some "muscle" for their operation. The agents said they ran a prostitution ring, smuggled

Among other revelations brought forward during the 10-day trial was that McIntyre said the nun's murder was a "contract killing." He was supposed to have been paid \$6,000 to carry it out but was "double-crossed" by his "client." He also claimed that he had killed a man in Quebec four years previously.

After the prosecution's case was presented, the attorneys for the defence declined to call any witnesses. Following final summations, the judge recited the evidence and gave legal instructions to the jury, <sup>fo3</sup> which returned a guilty verdict. Justice Roger McIntyre then sentenced Marvin McIntyre to life in prison, with no parole eligibility for at least 18 years.

### A SHADY AFFAIR

Shortly after 2:00 pm on Wednesday, December 5<sup>th</sup> 1990, the Chatham town police received an alarming telephone call. The voice on the line said "I shot a man. Get up to Coping Avenue right away."

The caller was 39-year-old Kenneth Joseph "Kenny" Cady of Chatham. When police arrived, they found Cady sitting at the kitchen table, extremely drunk, with a bottle of wine at his feet and a loaded rifle standing upright between his legs. Slumped over on a chair nearby was the owner of the home, Herman "Yo-Yo" Breau, so completely inebriated that he was unable to stand up. Lying dead on the floor from a single gunshot wound was 27-year-old Kimberly Floyd "Kim" Russell.

Breau's Coping Avenue home was reputed to be a hangout for winos and drug users. The three who were drinking there that day had polished off several bottles of wine prior to the shooting. The victim, Kim Russell, of McIntosh Crescent, was a violent, volatile drunk. He had been convicted of 46 offenses and had served a recent jail term for assaulting his father with a round-mouthed shovel.

Kim's father was Floyd Russell, owner and operator of Discount Taxi, which maintained cabstands in both Chatham and Newcastle. In 1954, he had been involved in an altercation that resulted in the stabbing death of his mother. He had also survived a gunshot wound to the head during an ugly confrontation with

his uncle Elmer Glidden in 1955, as described in "Fatal Family Feud."

Cady, who also had an extensive criminal record, mostly for break, enter and theft, claimed that Kim Russell had been rough-housing him and growing increasingly violent that afternoon. He said he sucker-punched him and threw him against the wall, re-injuring a shoulder that had previously required surgery. Russell weighed about 185 pounds and was much larger than Cady.

After being taken to the hospital to have his wounds treated, Cady was quoted as saying: "He can go to hell. I don't give a shit no more. I had enough. He's a big boy. He hits hard." Yo-Yo Breau was unable to corroborate Cady's claims. When police questioned him six hours after the shooting, he was still so drunk that investigators couldn't understand what he was saying.

During his first few appearances in court, Cady had one arm in a sling and was seen to be wincing with pain. He was charged with second degree murder, but when his attorney, George Martin, indicated that he was willing to plead guilty to manslaughter, the murder charge was withdrawn. Judge Drew Stymiest sentenced him to five years in prison. After being sentenced, he said he considered the killing to be very unfortunate and that he felt sorry about it.

### THE STRANGE DISAPPEARANCE OF SONORE COMEAU

Sonore Comeau was born February 23<sup>rd</sup> 1940 near Neguac. He was the 17<sup>th</sup> of 18 children born to Pierre Breau and Rachel Doiron. Sonore Comeau was married to Elizabeth Savoie on April 15<sup>th</sup> 1963. The pair had one daughter, Gladys.

On February 1<sup>st</sup> 1991, Comeau was under the influence of alcohol near his home in Tabusintac. He vanished that day and has never been seen or heard from since. At the time of his disappearance, he was described as a Caucasian man, just shy of his 50<sup>th</sup> birthday. He stood approximately 5'8" tall, weighed 155 pounds, had blue eyes, salt and pepper hair, a moustache, and silver-rimmed glasses. He apparently had no teeth. When

last seen, he was wearing a red-checkered shirt, brown pants, brown boots and a white jacket with brown trim.

Sonore Comeau's case remains under active investigation on the RCMP's unsolved murders and missing persons file, although it is presumed that he is no longer alive. Along with the cryptic disappearances of fellow Miramichiars Arthur Underhill, Margaret Burke, Herbie Crocker, Fred Scott and Robert Breau, as profiled elsewhere in this book, the fate of Sonore Comeau remains an enigma.

#### MURDER DOWN BY THE BAY

The Baie-Sainte-Anne RCMP office received a call at 5:00 pm on Monday, November 18<sup>th</sup> 1991 stating that brothers Archibald and Ivan Poirier had discovered the body of Joseph Francois "Frank" Thibodeau on the ground outside the small, isolated one-room cabin in which he lived.

After the discovery, the Poirier brothers went to the nearby home of Annette Hitchman, from where the call was made. When the police and paramedics arrived, they were met by the Poiriers, who seemed fearful that Thibodeau's killer might still be in the cabin.

Thibodeau's partially painted cabin was located in the woods, surrounded by fir trees, on a gravel section of the Hardwood Road, on the edge of Baie-Sainte-Anne. Its occupant was the 35-year-old son of Jacques and Lena Thibodeau. He had returned to the area after working abroad for several years. Investigators determined that he had been shot inside the cabin and then staggered outdoors, collapsing on the ground. The bullet, which appeared to have been fired at a downward angle, had damaged his heart and lungs. There was no indication of forced entry into the cabin, and when the police arrived, music was still playing on a radio inside. A helicopter and tracking dogs were deployed to search the woods surrounding the crime scene. Police were told that somebody had tried to set fire to Thibodeau's cabin the previous week.

Archie and Ivan Poirier aroused some suspicion when they said they were unable to stay to give statements. Ivan said he

had to keep a supper date with his girlfriend, and Archie said that he had to go home and get ready for a night of "bar-hopping." After midnight that night, police went to the home of Hattie Martin, where Archie Poirier lived with his girlfriend, Hattie's daughter, Sheila. Archie agreed to go to the police station, where he gave police a twelve-page statement. He originally claimed that he left his girlfriend's place around noontime that day on an all-terrain vehicle for the purpose of setting some snares, taking his brother's rifle along with him. He said he stopped at Frank Thibodeau's cabin early in the afternoon and bought a half-gram of cocaine from him. When he returned later with his brother, Ivan, Thibodeau's body was on the ground outside the cabin.

That same night, police also took statements from both Ivan Poirier and Sheila Martin, and their statements did not jibe with Archie Poirier's. The police took Archie Poirier into custody to get the facts straight, but his story kept changing, causing it to seem he had something to hide.

Archie now said that just as he pulled up to the cabin, he heard a shot from inside and saw Frank Thibodeau stagger out the door clutching his wound. Concerned that he would be blamed for the shooting, he fled the scene. Investigators told him that this did not conform with evidence they had collected, so he changed his narrative again. This time he said he had been inside the cabin, and that Frank Thibodeau made a homosexual pass at him, and when he repulsed him, Frank grabbed him by the genitals and held a knife to his throat. He pushed him away, picked up his rifle and went to the door, but found it was locked. The rifle then "went off," and Thibodeau was shot.

Archie said he later tossed the rifle and the knife off the wharf. The next day, he showed officers the location, but when divers failed to locate either the rifle or the knife, his story changed again. Now there had never been a knife held to his throat. Meanwhile, the police failed to find any evidence that Frank Thibodeau was a homosexual.

Having waded through countless discrepancies and inconsistencies, the investigators finally charged 21-year-old Archibald Poirier, Jr. with second degree murder. He waived his right to a preliminary hearing. Through his lawyer, George Martin, he

agreed to plead guilty to manslaughter, and Crown Prosecutor Jack Walsh entered a stay of proceedings on the murder charge. Judge Drew Stymiest sentenced him to nine years in prison, although it was never definitively ascertained what happened that day in Frank Thibodeau's cabin – or why.

### **FRIDAY THE 13<sup>TH</sup> IN FERRY ROAD**

Phyllis Innes worked as a school bus driver and was also a secretary for Local 1127 of the Canadian Union of Public Employees. By all accounts, she was a nice friendly person, adored by the school children who rode her bus.

In the fall of 1991, Innes was living in a cozy, single storey house in Ferry Road with her elderly father, William Harding. She also had a female friend, Blondine Doucet, staying with her who was separated from an abusive husband.

On the night of Friday, December 13<sup>th</sup> 1991, Blondine Doucet's 37-year-old husband, Ken Doucet, broke into the Ferry Road home wearing a mask and brandishing a crowbar. Blondine barricaded herself in a room, but when Phyllis wouldn't help the enraged husband gain entry, he turned his wrath on her, savagely beating and stabbing her.

Phyllis' father William Harding was awakened by the noise of dogs barking, followed by a woman's screams, and got out of bed to investigate, only to receive a severe beating himself. During the attack, Phyllis managed to escape the house and run to get help from a neighbor, but Ken Doucet caught up with her and struck her over the head with his weapon before jumping into his car and speeding away. It was unknown at the time that he had two 5-gallon jugs of gasoline in the trunk of the vehicle and was undoubtedly thinking of setting fire to the Ferry Road house.

Following the assault, Doucet's terrified wife Blondine telephoned police and paramedics. Phyllis Innes was found lying in a ditch outside her home by police canine-handler Kevin Surgeon and his German shepherd "Kaiser." She required emergency brain surgery. She was in a coma for 18 days, and spent the next several months in the Moncton Hospital undergoing physical

and vocal therapy. Her throat had been slashed and the head trauma she received drastically affected her equilibrium.

Neurosurgeon Gilbert Quartey testified in court that Innes' had been the worst case of head trauma he had seen where the victim actually survived. Because her vocal cords had ceased functioning, she required a mechanical larynx, at least temporarily. Dr. Perry Weiss, a rehabilitation specialist, stated that she would need 24-hour care for years to come and would probably never be able to rejoin the workforce. Her father William Harding suffered a broken leg and required a 5-week hospital stay.

In the meantime, Ken Doucet was arrested and charged with attempted murder. An evaluation by a psychiatrist revealed that he suffered from severe depression and had attempted suicide on six different occasions. Regardless, he was declared fit to stand trial. He was employed at Brunswick Mines, near Bathurst, where he had apparently told his foreman, Leo Theriault, that he stabbed Innes because she wouldn't let him speak with his estranged wife, Blondine. Aside from his depression, Theriault claimed that he was a hard worker and a model employee.

At his trial, Doucet was defended by Bathurst criminal lawyer Terry Lenihan, who insisted that his client had only wanted to speak with his estranged wife that evening. Lenihan said he had planned to commit suicide if his wife declined to speak with him, and that was why he took a knife with him to Ferry Road. It was a case, he said, of somebody "suicidal, becoming homicidal." Neither Crown Prosecutor Fred Ferguson nor Judge Drew Stymiest concurred with this line of reasoning. Doucet was found guilty of attempted murder and sentenced to 12 years behind bars. He was also given a 3-year concurrent sentence for his attack on Harding.

Phyllis Innes' condition improved over the years. Her father, William Harding, a retired truck driver, passed away at his residence on February 7<sup>th</sup> 2001, at age 86.

### **MANSLAUGHTER IN THE BACKLOTS**

Tanya Doyle and Donna St. Coeur went to the home of Kyla Hill early in the evening on Thursday, February 6<sup>th</sup> 1992, where

the three teenaged girls had some drinks before going out for a night on the town. Later on, they randomly met up with two men they didn't know, Kevin Hurshman and Daniel Savoy, in the parking area outside Ben's hamburger stand in Chatham. From there, St. Coeur went home, but Doyle and Hill decided to get in the car with the older men.

The four of them then went to the Chatham home of Patricia Gulliver, where 39-year-old Savoy was renting a room. They listened to music, had some drinks and smoked pot. Later, they all went out in Savoy's car. At some point after midnight, Kyla Hill asked to be taken home. She said later that Savoy would not stop touching her and was making her uncomfortable. After dropping her off at her home in Douglastown, the two men, with Tanya Doyle still in the car, went to a gas station for fuel. When Tanya was inside using the washroom, Savoy asked Hurshman to make an excuse to go home so he could try to "score" with the young woman. So Kevin Hurshman was dropped off at his home at approximately 1:20 am.

Roughly an hour later, Tanya Doyle knocked on the door of Peter Colton's house on the O'Keefe Road, in what was once known as the "Backlots" of Douglastown, asking to use the telephone. She called a friend, Mario Richard, who came to pick her up and take her home.

After sunrise that morning, students of the New Brunswick Community College Forestry Training Centre on the O'Keefe Road discovered the frozen body of Daniel Savoy in a snowbank roughly 350 feet from his car. He had been stabbed to death. The police were called and the scene secured. They found that Savoy's belt was unbuckled and the fly of his jeans partially unzipped. There were bloodstains in the snow and 13 empty beer bottles in the car.

Police succeeded in piecing events together, and Tanya Doyle was arrested. She had gone home that night to the house in Douglastown where she lived with her parents and her younger sister, washed her bloody clothes and hid the knife used in the stabbing in the ceiling of her bedroom. Five of the 13 beer bottles in the car had her fingerprints on them. She said that Savoy had forced himself on her, and that she had acted in self-defence. However, her actions after the stabbing didn't help

her case. She had phoned Kyla Hill and told her what happened, but when Kyla advised her to contact the police, she said she would rather wait for them to come to her.

Tanya Doyle, then a student at Miramichi Valley High School, was charged with second degree murder and retained George Martin as her attorney. While executing a search warrant at her home, police confiscated a diary, some of the entries in which were described as "hateful," while others revealed her to have been "distraught." During a *Voir Dire*, however, Judge Thomas Riordon ruled the diary inadmissible. Its seizure had been unlawful, because it was not part of the search warrant.

At one point early in the trial, the accused became uncontrollably upset. A two-hour recess was called. Legal personnel consulted with one another during the recess, and when court reconvened, it was stated that she would be willing to plead guilty to manslaughter. Justice Riordon sentenced the 19-year-old to three years of imprisonment.

In less than six years there had been 18 murders and six attempted murders in the Miramichi area, the majority of which had occurred within a 10-mile radius. Fortunately, the Savoy killing marked the end of this chilling wave. There were certainly more murders and violent deaths to come but with a notable decrease in the frequency with which they occurred.

#### POLICE PURSUITS

High-speed police chases are uncommon in Northumberland County, but there have been a few spectacular ones. In 1992, for example, Miramichi police officers were involved in at least four chases, two of which ended with fatalities.

One high-speed chase occurred around midnight on Friday January 17<sup>th</sup> 1992. Ironically, the driver of the speeding vehicle was an off-duty, uniformed RCMP officer driving an unmarked cruiser! The chase began on the grounds of CFB Chatham and ended when the drunken officer, a 20-year veteran of the force, lost control of his ghost car and slid off the road in Chatham Head, near the intersection of highways 117 and 126. He was being pursued by both military police and Chatham town cops.

The offender, who later faced charges, was Cpl. Rosaire Gerard, the supervisor of the Newcastle detachment of the now defunct Provincial Highway Patrol.

Less than a week later, on January 23<sup>rd</sup> 1992, another incident played out on the Remous-Plaster Rock Highway. At approximately 2:10 am, the Plaster Rock RCMP detachment received a telephone call warning that 29-year-old Morgan King, a man known to them, was en route to Newcastle carrying an assortment of weapons, including a rifle, a shotgun and a pistol. It was believed that his destination was Moncton, where he was going to confront his ex-wife and her new love interest.

Plaster Rock RCMP called ahead to the Newcastle detachment with a description of the man's vehicle, and at 4:00 am, Newcastle police officers spotted it and gave chase. At 4:15 am, the wanted man stopped about 12 miles west of McGraw Brook and fled into the woods with his weapons. Several shots were exchanged between him and the police, but nobody was hit. He eventually made his way back to his vehicle and the chase resumed, with the suspect now speeding back towards Plaster Rock.

At 4:40 am, Morgan King's car slid off the road and into the ditch about a mile east of the Half-Way Inn. The temperature had dropped to -20° Celsius, causing extremely slippery road conditions. At this location, another armed standoff took place. When the police attempted to negotiate with him, he requested another car and a heater, which the negotiators promptly denied. Contact was maintained, however, and just as reinforcements were delivering warm clothes to the officers, King laid down two of his weapons and proceeded towards the police with a pistol in hand. Minutes later, he was dead on the road from a self-inflicted gunshot wound. RCMP personnel from Grand Falls, Minto, Fredericton and Newcastle had all been involved in the standoff.

Another high-speed chase took place on Wednesday night, August 6<sup>th</sup> 1992. While being pursued by police cruisers, 38-year-old Wallace R. Malley of Chatham failed to negotiate a turn on Highway 117 in Loggieville. His vehicle went off the road crashing into a stand of trees at 9:45 pm. Members of the Chatham Fire Department had to use the "jaws-of-life" to extract

him from the wreckage. He was taken to the Moncton Hospital with head injuries from which he passed away the next morning at 7:00 am.

#### AN ATTACK IN BUSHVILLE

Valmond Lebouthillier was born in 1953 the son of Jacques "Jimmy" Lebouthillier and Exilda Comeau of Rivière-du-Portage, a few miles south of Tracadie, just inside the Northumberland County line. In 1972, at age 19, he was convicted of second degree murder after killing a woman and wounding her husband during a violent altercation in Tracadie. While incarcerated in the penitentiary at Dorchester, he played a role in a hostage situation in 1975 and acquired a reputation for violence and sexual deviancy.

Lebouthillier became eligible for parole in 1982 but was held in prison until 1991, when he was 38 years old. Correctional Services recommended a gradual release, first to a minimum security facility, and then to a halfway house, but the National Parole Board granted the convicted murderer a full parole, a decision that would come back to haunt them.

In April 1992, Lebouthillier breached the conditions of his parole when he indecently exposed himself to a woman at a public swimming pool in Sheila, near Tracadie. He was picked up by police but released on a technicality. On Saturday, August 22<sup>nd</sup> 1992 he left his home in Pont-Lafrance, Gloucester County, to go to Renous. While traveling on foot through Miramichi near nightfall, and growing tired, he entered the grounds of the Miramichi Golf and Country Club in Bushville and picked a suitable place to sleep. Waking up sometime after midnight, after the gates to the club were locked, he came upon the living quarters of the resident golf pro, Ken McBride, where Ken's 23-year-old daughter, Melana McBride, was staying alone that night.

Brandishing a butcher knife, Lebouthillier forced his way into the McBrides' apartment and assaulted Melana, sexually molesting her and stabbing her in the chest. She also sustained defensive knife wounds to both hands. Demonstrating an incredible degree of composure, the young woman spent two hours

engaging in conversation with the intruder, calming him down, and finally persuading him to leave at around 4:00 am.

Once he was gone, McBride called emergency services and was taken to the Miramichi Hospital, where she was treated for superficial stab wounds. After her release, she headed back to the McBride family home in Sussex. Meanwhile, Valmond Lebouthillier was picked up by police at approximately 7:00 am that morning in the vicinity of CFB Chatham. His parole was revoked, and he was returned to the maximum security prison at Renous. When the public became aware of the incident and the circumstances of Lebouthillier's parole, the National Parole Board came under heavy criticism, causing something of a shake-up at the board and a revamping of parole procedures.

Lebouthillier was charged with aggravated sexual assault and unlawful possession of a weapon with the intent to commit grievous bodily harm. At his trial, Judge Drew Styminst was on the bench, Bill Morrissey was the Crown prosecutor, and duty counsel Geri Mahoney represented the accused. Mahoney claimed that Lebouthillier had appeared to "do well in prison," but that he lacked the skills to cope on the streets and that he could not relate with women. Lebouthillier himself spoke of having been raped in prison at age 19 and subjected to much violence during his incarceration. He expressed sorrow and regret over the events of August 22<sup>nd</sup> and ultimately pleaded guilty to the charges he was facing. Judge Styminst sentenced him to 18 years in addition to the sentence that had been reinstated when his parole was revoked. The judge also made it a point to criticize the National Parole Board on record.

Surprisingly, since being re-incarcerated, Valmond Lebouthillier has honed his artistic gifts and gained a reputation in the field of "Outsider Folk Art." His works have been referred to as "hot commodities" by collectors of this sub-genre of folk art.

Duguay in 1979. Throughout his incarceration, he adamantly maintained his innocence. Offered a chance at early parole, with the stipulation that he confess to the murder, he refused. There were those who believed he was innocent and that he was wrongly convicted.

At age 18, Cunningham must have felt intimidated by the imposing stone walls of Dorchester Penitentiary. Not much more than five feet tall, and weighing only 120 pounds "soaking wet," he would also have been an easy target for seasoned inmates in the general population. Fortunately for him, Miramichi Earl Lewis was "on the inside" at the time. Lewis had been friends with Cunningham's grandparents, and he took the slight, new inmate under his wing. Anyone who messed with Cunningham ran the risk of incurring Lewis' wrath. Even after Lewis was paroled, some of his associates kept watch over the young man.

Robbie Cunningham was paroled in February of 1993, having fully paid his debt to society. Still only 32 years old, he had time to atone for his sins, make positive changes to his way of life, and become a contributing member of society. However, shortly after his release on mandatory supervision, he got himself into trouble again, not least of all by threatening to kill his father, Vince Cunningham. An ominous cloud hung over his future.

At 5:30 pm, on September 10<sup>th</sup> 1993, friends of 45-year-old Florence Hershey, who had a son, a daughter and a grandchild, found her dead in her Ellen Street apartment in Newcastle. An autopsy conducted in Saint John determined that she died of two puncture wounds to the stomach. She had obviously been murdered, and Newcastle police detective Dewey Gillespie was assigned to head up the investigation, with assistance from the Bathurst General Investigation Section of the RCMP.

Hershey's apartment was located above an insurance office on the Newcastle Town Square, and investigators scoured the square and even the nearby rooftops in search of clues. They conducted nearly 100 interviews. Items were sent to the RCMP forensics laboratory in Sackville for DNA analysis, and before long, police arrested Robbie Cunningham and charged him with the second degree murder of Florence Hershey. The fact that he

#### CUNNINGHAM KILLS AGAIN

As described in "The Chatham Head Axe Murder," after two trials, Robert Brian "Robbie" Cunningham, then age 18, was handed a 12-year sentence for the brutal murder of Nick

had just recently been released on parole after serving time for a previous murder conviction infuriated members of the public and incited debate about deterrence, rehabilitation, recidivism and capital punishment.

Cunningham and Hershey were acquainted with each other for about two months prior to her murder. On September 9<sup>th</sup>, they met by chance at a Newcastle nightclub, where she had been socializing with friends. They left the club together and went to an all-night drinking party at an apartment close to Hershey's. Around sunrise, they moved on to Hershey's apartment, where they smoked marijuana, drank beer, and had consensual sex. Later that morning Hershey fell asleep. When she suddenly awoke and sat up in bed, startling Cunningham, he strangled her. To ensure that she was dead, he also stabbed her twice with a pocket knife that allegedly belonged to her. In a video-taped confession with Deputy Police Chief Earl Campbell, he said he couldn't explain why he killed her. There had been no argument or confrontation. He had just been in a "trance-like state."

At trial, Cunningham's defence attorney was Weldon Furlotte, who maintained that his client had been "sleepwalking" during the attack and criticized the Crown prosecutor for not calling an expert in the field of sleep disorders. He also called his client to the stand to confirm that he did indeed suffer from a sleep disorder. Cunningham, who seemed no more mature than a 17-year-old, blamed sexual abuse and mistreatment during his childhood for his present mental and emotional state.

Furlotte's final summation to the jury contained an insinuation that Crown Prosecutor Fred Ferguson was prejudiced against Cunningham and that this could be perceived as a conflict of interest. Justice Paul Creaghan dismissed this rash claim during his final charge to the jury, which found the second-time killer guilty as charged. A mandatory sentence of life in prison, with no eligibility for parole for 20 years, was imposed by Justice Creaghan, who described Cunningham as "a very disturbed young man" and a "serious danger to society."

The year before the Hershey murder, Sandra Mitchell's book on the murder of Nick Duguay, for which Robbie Cunningham went to prison previously, was released with this title and sub-

title: *The Miramichi Axe Murder: Was Robbie Cunningham the Scapegoat for Allan Legere?* Published shortly after Legere's ruthless killing spree, the book re-kindled interest in the Duguay case and got people wondering about the possibility of Legere having been behind it. However, after Robbie Cunningham was also convicted of murdering Florence Hershey, support for this theory soon fizzled out.

#### ASLEEP WITH THE ANGELS

Nobody could ever personally feel the suffering endured by little John Ryan Turner during his 44 months on earth, and nobody could ever understand the twisted minds and hollow hearts of the parents who sadistically abused and caused the death of this defenceless little child.

The Turner tragedy took place in the early 1990s at Canadian Forces Base Chatham. The base was decommissioned more than 20 years ago, but it had previously been a bustling center that had over 3,000 military and civilian employees.<sup>104</sup> It opened in 1941, and for years it was home to a Wing of Voodoo Fighter Squadrons. During the Cold War, it housed nuclear weaponry in underground bunkers. It was a source of pride to the community, but a number of tragic events were also part of its history.

In June of 1966, sanitation workers discovered the severed legs of an infant floating in the base's waste sewage treatment facility. The mother of the child was tracked down and charged with infanticide. In March of 1972, NCO John Noel murdered his wife Leota, and then took his own life as described in "Murder-Suicide at CFB Chatham," but the incident that garnered the most attention and caused the most shock and outrage, locally and nationwide, was the pitiable case of John Ryan Turner.

John Ryan Turner died on May 26<sup>th</sup> 1994 at just over 3½ years of age. He was essentially abused and neglected to death. It was said that he was kept harnessed and gagged in a closet in his bedroom. In the winter months, his mother locked him out-doors from morning to evening to "play." After he died, he was found to have several untreated bone fractures, and he weighed

a mere 20 pounds. The physician on duty in the emergency room of the Miramichi Hospital when his body was taken in was Dr. Charles Gardiner, who had previously practiced medicine in Zimbabwe. Later on, during the trial of the parents, he said that the child's malnourished condition was comparable to the worst cases he had seen in that third world country.

The Blue Ribbon Campaign Against Child Abuse assisted with John Ryan's funeral costs, and Jim and Eleanor Manning and the Miramichi Lion's Club helped pay for a headstone for his grave in Riverside Cemetery in Chatham.

The case provoked controversy and anger. Perhaps the most unsettling fact for the public to contend with was that, even though some of the family's numerous neighbors at the base suspected that the child was being abused, nobody did anything about it.

In the county courthouse in Newcastle, John Ryan's parents, Steven and Lorelei Turner, natives of Ontario, were tried and convicted of manslaughter and failing to provide the necessities of life to their son. In sentencing both of them to 16 years in prison, Justice Thomas Riordon described their crimes as "deplorable" and "unexplainable."

A 2014 book entitled *Tough Crimes*<sup>105</sup> contains articles by twenty of Canada's top criminal lawyers and prosecutors on their most unforgettable homicide cases. Among those making contributions to the book was Fred Ferguson, the prosecutor who fashioned the Crown's case against such murderers as Allan Legere, Robbie Cunningham and Earl Lewis. Of the 25 plus years that he spent in the Judicial District of Miramichi prosecuting criminal cases, it was the Turner case that unsettled him most. The only time he lost his composure in a courtroom was when he was shown photographs of the emaciated Turner child during the arraignment of his parents. On that occasion only, he wept in full view of the crowded courtroom.

"The Whooper," it soon gained a rough reputation for fights and brawls, and on June 26<sup>th</sup> 1994 it was the scene of a murder.

Michael O'Donnell, Gary Ross and Aiden Downey entered the Whooper tavern at about 10:30 pm, June 25<sup>th</sup> 1994. Not too long after, they met up with Linda Sanford, Edith Losier and Debra Ryan. Twenty-eight-year-old Michael Herman O'Donnell, a happy-go-lucky man, took Ms. Sanford out onto the dance-floor.

At about 11:00 pm, a man named Michael Roger LeBlanc, age 38, showed up at the tavern after having been drinking beer for most of the day. He and Debra Ryan had dated for 2½ years but had recently ended their relationship – mainly, according to Ryan, because of LeBlanc's excessive drinking. They spoke with one another earlier in the day, and Ryan said she wouldn't be going out that evening. At the Whooper, they got into an argument into which Michael O'Donnell, returning from the dance-floor, interjected himself.

Michael LeBlanc and Michael O'Donnell were standing as though squared off when bouncer Gary McLean came over to forestall a potential fight. Considering LeBlanc to be the aggressor, McLean forced him to leave the bar. LeBlanc, who had a criminal record for break-and-enter and assault, had been barred from the Whooper on two previous occasions, and 10 minutes after this latest expulsion, he was at the door trying to re-enter. O'Donnell happened to be nearby, and LeBlanc challenged him to come outside. O'Donnell asked the bouncer if he would be permitted to come back in if he did so, and McLean said only if he didn't get into a fight with LeBlanc.

When O'Donnell went outside, at minutes past midnight, LeBlanc produced a knife and stabbed him in the abdomen, in what was determined to be an upward swipe. An off-duty cop, Cst. Larry Matchett, was conducting surveillance in the parking lot, and both he and McLean claimed to have witnessed the stabbing. Coat check attendant Kim Bernard and a handful of patrons had also witnessed some aspects of the altercation.

When he was stabbed, O'Donnell clutched his stomach and got himself back into the bar, while LeBlanc went to a pick-up truck in the parking lot, threw a jackknife into the back cargo bed, and then walked down the street to the nearby Ambassador

## HOMICIDE AT THE WHOOPER

As elsewhere noted, the old railway station in Chatham was converted into a bar and restaurant in the 1980s. Fittingly called

Tavern. A short time later, Cst. Matchett came in and arrested him. Bartender David Swain later testified that he heard Matchett tell LeBlanc: "I saw you do it," in response to which LeBlanc claimed not to know what Matchett was talking about.

Witnesses said that when O'Donnell staggered back into the bar, his guts were visible from the wound in his abdomen. He was attended to by first aiders until an ambulance arrived. Despite the best efforts of paramedics and Dr. Antonio Tan and his team, who performed a 4-hour emergency surgery on him, Michael O'Donnell died from a massive blood loss from his diaphragm having been cut open.

Michael O'Donnell, a son of Patrick O'Donnell and Lucille (Durelle) Schofield, of Glenwood, a few miles south of Chatham, had recently returned home from Mississauga, Ontario, where he had a wife, Sheila, and a young daughter, Melissa.

Michael LeBlanc was charged with second degree murder and pleaded not guilty. At trial, his case was prosecuted by veteran prosecutor Fred Ferguson, with attorney Daniel Watters handling the defence. The accused maintained that he had been attacked first with the knife by O'Donnell, but witnesses in the parking lot had seen him retrieving something from the glove compartment in his vehicle, thought to be the murder weapon, just prior to the stabbing. When he took the stand in his own defence, he said he had just been grabbing a marijuana joint. He claimed that he wanted to ask Debra Ryan to come out and smoke it with him, as a sort of "peace offering." Debra testified that he had never behaved abusively towards her; that he had always been easy going and considerate.

A jury<sup>106</sup> comprised of ten women and two men deliberated for five hours before returning a verdict of guilty of manslaughter against Michael LeBlanc. Justice Thomas Riordon sentenced him to 10 years behind bars. Known to his friends and family as "Magoo," he was no longer incarcerated when he died of lung cancer on April 23<sup>rd</sup> 2010, at age 53.

the former Domino Night Club and rental properties in Chatham. He was also a school bus driver for a time.

Mizuik, age 60, had been having problems for years with a nephew, 43-year-old Gary John Graham. The latter's extensive criminal record included charges for mischief, theft, dangerous driving, criminal negligence causing death, assaulting a police officer, resisting arrest and escaping custody.

On Saturday morning, December 23<sup>rd</sup> 1995, Gary Graham walked past the freshly cut Christmas trees for sale at the entrance of his uncle's store and went inside. He came to complain that he was broke and wished to borrow money from his uncle for the holidays. The two argued briefly, and Graham left. Shortly after the noon hour, however, he returned to continue badgering his uncle for a loan. Busy with customers, Mizuik impatiently waved him off, but when he turned to walk towards the rear of the store, his nephew produced a revolver and shot him in the back of the head from a distance of about 20 feet.

Graham then ordered the three shocked customers who were in the store to go to the front of the building and sit down or they "would be next." Graham, a slight man, then tried to turn his much larger uncle's body over to go through his pockets, but he found little cash. He fled the store virtually empty-handed, jumped into his rust-colored truck, and sped away. The newly formed Miramichi City Police were called, the store was cordoned off and canine handler Kevin Sturgeon and his German shepherd "Kaiser" began searching for the killer.

It was reported that Graham showed up at his parents' Hansen Road home, next door to Mizuik's residence, at roughly 2:00 pm and told his parents about the shooting. Soon after, police found his truck in the vacant lot behind the former Miramichi Hospital. He had gotten out, laid down on the pavement, covered himself with a blanket, and shot himself to death with the same pistol he used to murder his uncle.

There were different rumors concerning the root of the problem between Mizuik and his nephew, one of which was that the uncle had reneged on a promise to pay him for a special job he did for him, but the public record is silent on the issue.

Ralph Mizuik was survived by his wife, Nina Votour, two sons and a daughter.

#### THE MIZUIK MURDER

Ralph Roland Mizuik was the owner of Quality Discount Home Furnishings on Pleasant Street in Newcastle as well as

## GOOD FORTUNE/BAD FORTUNE

On the evening of July 12<sup>th</sup> 1996, Burnt Church (*Esgenoopetitj*) resident Percy Edward Augustine, 40, attended a bingo and won twice, with prizes totaling \$300. At 10:00 pm, he went to the home of Clayton Martin, where some friends were drinking and playing cards. It was said that Augustine was generous with his winnings that night, and that around midnight he went to a pizza parlor in Neguac and ordered food for the gathering.

Later, a friend dropped him off in Jeffrey Narvey's driveway, but he went next door to the residence of a girl named Amy Barnaby. Amy had spent most of the day at the home of Marlene Francis, where she consumed alcohol and prescription drugs. At roughly 11:30 pm, she was accompanied to her own home by Terry Martin, a brother of Clayton's. In the early morning hours of July 13<sup>th</sup>, Percy Augustine, Terry Martin and Amy Barnaby began drinking together at Amy's home. Martin passed out, and sometime after 2:00 am, Percy and Amy went to Lucy's Truck Stop, an all-night diner. Then they stopped at a bootlegger's for more beer before returning to Amy's house.

Amy Barnaby later reported that she went to bed sometime after 3:00 am. Later, she heard Percy Augustine and Terry Martin arguing outside her bedroom door, and within minutes, Percy entered her room. When she awoke in the morning, she ran next door to the Narvey residence and told them that Percy had assaulted her sexually. While at the Narvey's, she saw Percy leaving her home. When she returned in company with Jeff Narvey, Terry Martin's body was lying on the floor in a pool of blood. He had been stabbed once in the heart and once in the lungs. An autopsy determined that he died within a few minutes of the stabbing. Percy Augustine reportedly went home, told his mother that he had killed a man and then called the RCMP. He was promptly arrested for the murder of Terry Martin.

Augustine had an extensive criminal record, of which all the charges were alcohol-related. They included numerous instances of break, enter and theft, as well as assault and sexual assault, leaving the scene of an accident, unlawful trespassing and impaired driving. For the Martin killing, he was initially charged with first degree murder. At his trial, Justice Thomas Riordon

was on the bench, the prosecutor was Bill Morrissey and Peter O'Neill served as defence counsel. The jury found him guilty of manslaughter, and Justice Riordon sentenced him to six years of imprisonment.

Percy Augustine launched an appeal on the ground that the trial judge had not properly explained reasonable doubt to the jury, and the New Brunswick Court of Appeal granted a retrial. This time, the accused chose trial by judge alone. Justice George Rideout found him guilty of manslaughter but sentenced him to only two years less a day, to be served within the community of Burnt Church. Burton Martin, chief of the First Nation, and another brother to the man who was killed, offered Augustine the opportunity to reside with him. Crown Prosecutor Bill Morrissey had been seeking a 10-year sentence and announced his intention to file an appeal.

In the meantime, Amy Barnaby left Burnt Church for a reserve in Quebec. She stated that she had been forced to leave, claiming that the community had turned against her because Augustine's defence team had insinuated that she may have been responsible for Terry Martin's homicide. Many people were incredulous over the leniency of the two-year sentence Percy Augustine received.

Augustine also appealed the second decision, this time on the grounds of wrongful conviction. The New Brunswick Court of Appeal dismissed that appeal and concurred with the Crown that the second trial judge's sentence had been "grossly inadequate." Justice Patrick Ryan called the verdict "beyond comprehension," taking into account Percy Augustine's history of violence, and the facts concerning the manslaughter and the sexual assault. Justices Wallace S. Turnbull and J. Ernest Drapeau approved Ryan's ruling that six additional years be added to Augustine's sentence.

## "EITHER HIM OR ME"

Noah Christian Augustine made a name for himself in the 1990s as a crusader for Aboriginal logging rights. He went on to become one of the most influential young Native leaders in the

country. Among his achievements were co-founding the Native Loggers Business Association and the New Brunswick First Nations and Business Liaison Group. He served as president of the Union of New Brunswick Indians and as co-chairman of the Atlantic Policy Congress of First Nations Chiefs. He fought to secure funding for the Metepenagig Heritage Park, to honor the Augustine Mound and the Oxbow National Historic Site. He was active in the area of suicide prevention and was an outspoken opponent of prescription drug abuse. For all his accomplishments, however, Noah Augustine experienced some dark moments of human weakness. In one such moment in 1998, he killed a man.

At 4:00 am on September 19<sup>th</sup> 1998, Noah Augustine, of Red Bank, went to the Eel Ground home of Bruce Barnaby, a known drug dealer with an extensive criminal record. Augustine was accompanied by his friend Thomas Haddad, an off-duty Red Bank police constable. Augustine and Haddad had been drinking heavily at a camp all night before making the unwise decision to visit Barnaby. Haddad later claimed that he was “passed out” when an altercation took place between Augustine and Barnaby.

Noah Augustine wanted to visit Bruce Barnaby for the express purpose of questioning him about his alleged involvement in the 1987 death of Augustine’s 17-year-old cousin Darren Augustine. Darren had been struck by a car while lying on the road. Although an inquest was held, and Darren’s death was ruled accidental, it was widely believed that Barnaby had beaten him with a baseball bat that night, placed him on the road, and run him over. Burton Martin, chief of the Burnt Church First Nation, who had later been incarcerated with Bruce Barnaby, claimed that he bragged about getting away with “killing an Augustine.” Martin also claimed that Barnaby had been the “most feared man” within the walls of the prison and had been known to attack other men simply for looking at him the wrong way.

When Barnaby was confronted by Noah Augustine, he grew incensed and reportedly said: “I’m not going down for something that happened 10 years ago.” A fight broke out between them while they were seated next to each other on a sofa. According to Augustine’s version of events, with one hand,

Barnaby reached for a large hunting knife that was on the coffee table in front of the sofa, while using his other hand to push Augustine’s forehead back, exposing his throat. He said it was because he feared for his life that he reached for Haddad’s service pistol, which he had tucked into the back of his pants before entering the Barnaby home. The gun went off, shooting Barnaby through the stomach. Augustine said that Barnaby, a bear of a man, reacted to this only by becoming enraged and starting to get up on his feet, swearing. At this point Augustine pulled the trigger again, shooting Barnaby in the temple and killing him. Augustine awakened his friend Haddad, and the pair fled the scene in Haddad’s sport utility vehicle.

Thomas Haddad later testified that when he “came to” in the vehicle, they were already in the state of Maine. Augustine then told him what had happened, and they decided to keep on going in the direction of Florida. Augustine had tossed Haddad’s .357 Magnum out the window of the vehicle somewhere between Renous and Plaster Rock. They were now wanted fugitives, which would surely spell the end of Haddad’s law enforcement career. Fearing a prison sentence, which is akin to a death sentence for an ex-cop, he was reluctant to consider turning back and surrendering. Noah Augustine was beginning to have doubts about the wisdom of what they were doing, but they kept on wheeling all the way to Jacksonville, Florida.

In Jacksonville, both men came to their senses and decided to turn themselves in. On September 24<sup>th</sup>, Noah Augustine telephoned Sunny Corner RCMP Cpl. Ferris McLean, whom he knew personally, to discuss returning to Canada to surrender. By this time, with Bruce Barnaby dead, both he and Thomas Haddad were wanted for murder. On the telephone with McLean, Augustine made it clear that Haddad had not been involved in the shooting in any way. He had acted on his own in self-defence, “I was just panicking. Either him or me. Put it that way.” The men made arrangements with Florida state troopers to turn themselves in, and the following day, Cpl. McLean headed off to Jacksonville to take custody of them.

After being returned to Miramichi, Noah Augustine was charged with second degree murder and Thomas Haddad with being an accessory after the fact. Augustine went on trial first, represented by noted criminal lawyer Gary Miller, of Fredericton.

The case was prosecuted by Paul Hawkins, with Justice Alexandre Deschênes presiding. The sensational murder trial garnered nationwide publicity. In a particularly acerbic series of columns written by *Toronto Star* journalist Kelly Toughill, the Miramichi was referred to as a “raw corner of the world, a river town that stinks of pulp mills and beer halls, a profoundly unsentimental part of Canada.”<sup>107</sup> It was clear that the whole country was watching. A jury of Noah Augustine’s peers found him not guilty, determining that he had acted in self-defence. Thomas Haddad likewise was found not guilty.

Many thought that Noah Augustine’s political career would be over, but he bounced back and was elected chief of the Red Bank (*Metepenagiag*) First Nation in 2004, a position he held for six years, until losing an election to Freeman Ward. The whole province was shocked on November 13<sup>th</sup> 2010, when he was killed in a single vehicle accident, having lost control of his truck and slammed into a tree near Red Bank. Police determined that speed and alcohol had been contributing factors. He was only 39 years old.

### ROBERT BREAU’S VANISHING ACT

On the first of February 1999, 36-year-old Robert Joseph Breau mysteriously vanished in the middle of the night from his second floor apartment at 54 Queen Street in Chatham, which he shared with his 77-year-old mother. He was described as having short, curly brown hair and brown eyes, standing 5’10” tall and weighing approximately 180 pounds. He had three tattoos: a panther on his left forearm, a mushroom on his right forearm and an owl on his right bicep.

Robert Breau was last seen when visiting his sister Maria and her husband, David Tanasichuk, who lived downstairs at the same address. He was extremely inebriated that night, having spent most of the afternoon and evening drinking. It was said that he could hardly stand up. The next morning he was gone without a trace. Wherever he went, he failed to take his wallet or any of his personal belongings with him. He had no vehicle and was living on social assistance at the time.

His brother-in-law David Tanasichuk claimed that Breau skipped town because he had ripped off a local drug dealer, but Tanasichuk also stated, in evident contradiction, that a “reliable source” spotted him in front of a pharmacy in downtown Chatham on February 4<sup>th</sup>. The unnamed person who supposedly saw him said that he appeared to be in a daze. There was also an unfounded rumor that he had won \$500 on a video lottery terminal and may have used the money to go out west to look for work in the oil patch.

Breau’s family didn’t report his unexplained absence to law enforcement until February 7<sup>th</sup>, three days after he vanished. The February 16<sup>th</sup> issue of the *Miramichi Leader* reported that the family received word that he had been spotted in Saint John, but this proved to be a false report.

In January of 2003, David Tanasichuk, a career criminal, claimed that his wife Maria, Robert Breau’s sister, had left him and was now in Saint John, a city with which she was familiar. However, her dead body was discovered that summer in a remote area of Chatham, and he was arrested and charged with her murder. The case is dealt with in “The Death Dealer” further along in this volume.

Tidbits of information that came to light during the investigation of Maria’s murder raised suspicions that David Tanasichuk may also have been responsible for Robert Breau’s disappearance. It was learned, for example, that Tanasichuk once administered a severe beating to his brother-in-law, allegedly because he had flirted with a friend of Maria’s. It was also learned that Maria had confided in her closest friends that she feared David had been involved in Robert’s abrupt disappearance. However, Tanasichuk was never charged with an offence against Robert Breau.

As of 2019, an account of the disappearance of Robert Joseph Breau is maintained on the websites *Porchlight Canada for the Missing and Unidentified*; *the North American Missing Persons Network*; and the *Doe Network*, *the International Centre for Unidentified and Missing Persons*. Police consider it a very strong likelihood that he met with foul play.

## A LUKEWARM COLD CASE

Albert Joseph "Abby" Brown, 58, a previous resident of the Weldfield-Collette Road, about 15 miles south of Chatham, was described by his family as a quiet, introspective man. A brick-layer by trade, he had battled alcoholism in his younger years but had recently enjoyed a lengthy period of sobriety.

Abby Brown was the father of six children, but he was living alone in Chatham in the 1990s, at 247 Duke Street, where he was a small-time marijuana and hashish dealer. In the late summer of 1999, he was arrested for possession for the purpose of trafficking. At his first court appearance, he entered a guilty plea, but on Monday morning, October 25<sup>th</sup> 1999, when he was to appear for sentencing at the courthouse in Newcastle, he didn't show up, and a warrant was issued for his arrest.

Family members had not seen or heard from Brown either for several days, so that Monday evening, October 25<sup>th</sup>, his son Wesley went to his father's Duke Street home. His father wasn't there to greet him, but he discovered his body in the basement underneath some cardboard and firewood. He had been stabbed to death.

Miramichi City police, with assistance from the Bathurst RCMP's General Investigation Section, went to work collecting DNA samples and other evidence from the crime scene. It was determined that Brown had been dead for five days before being found. Police also stated that there were no signs of forced entry, suggesting that he may have known and admitted his killer. The single storey Duke Street home, located in an area of Chatham known as "The Hill," had been Brown's childhood home and had recently been purchased by one of his daughters.

Within days, Miramichi Police arrested a female suspect whom they believed had a motive for the murder. After being questioned, however, the woman was released, and the trail gradually went cold.

More than three years later, new information surfaced during the investigation of Maria (Breau) Tanasichuk's murder. At that time, friends of Maria's came forward to say that when her husband, David, was released from prison in 1995, after serving a short term for possession of a prohibited weapon, he heard a

false rumor that Maria had slept with Abby Brown while he was behind bars. He knew Brown well. In fact, he had been in a common-law relationship with one of Brown's daughter's years before and was the father of one of Brown's grandchildren. Enraged by the rumor, Tanasichuk told his wife that he was going to have a word with Brown.

Whether Tanasichuk was involved in Abby Brown's murder or not, it was said that the Miramichi criminal element knew that he had been killed before his body was found. Twenty years later, however, the New Brunswick attorney-general's office has yet to amass enough solid evidence to support a criminal prosecution.

## A FATAL BEATING

During a four-year period at the turn of the 21<sup>st</sup> century, the Breau family of Miramichi experienced one tragedy after another. As previously noted, 36-year-old Robert Breau vanished without a trace in February of 1999, a suspected victim of foul play. The next year, it was the turn of his nephew, Billy Joe "B. J." Breau, the subject of this sketch and son of Robert Breau's sister Maria, and three years after that, the turn of Maria herself, the wife of David Tanasichuk.

B. J. Breau was described as a young man who enjoyed playing basketball, socializing with friends and pursuing girls. It was said he would like to have become an architect.

On Friday night, September 1<sup>st</sup> 2000, B. J. attended a farewell bash held at a remote woods camp in Douglasfield for students who were going off to college that fall. It was reported that during the course of the night upwards of 200 young people showed up at the gathering. However, by 3:30 am, when 21-year-old Breau got into a fight with a young man we'll call "Eric," there were only about 50 partiers left there.

B. J. and "Eric" were friends, although they had a history of fighting each other. That morning, the two squared off on a deck adjoining the woods camp, which was only a few inches above ground level. Witnesses said that "Eric," who was just shy of his 18<sup>th</sup> birthday, punched B. J. in the head twice, knocking

him off the wooden platform to the ground, and that he then kicked him hard in the chest.

It was later learned that the blow severed B. J.'s aorta, killing him instantly. He was taken in a pick-up truck to the Miramichi Regional Hospital, where he was officially pronounced dead. A rumor circulated that "Eric" was wearing steel-toed work boots that night, but he was actually wearing sneakers. There would not seem to have been any premeditation or murderous intention on his part.

"Eric" was still legally a minor, but public animosity towards him caused 1,500 people to sign a petition demanding that he be tried as an adult. However, the petition was ignored, and he was tried for manslaughter under the provisions of the *Young Offenders Act*, preventing his name from being published.

There was so much speculation that David Tanasichuk, B. J. Breau's stepfather, would avenge his death that Tanasichuk was prompted to publish a most unusual letter in the *Miramichi Leader* of September 12<sup>th</sup> 2000, assuring the public that he would let justice run its course because B. J. would have wanted it that way.

"Eric" was sentenced to three years for manslaughter. B. J. Breau was buried in the cemetery of St. Michael's Roman Catholic Basilica in Chatham. In 2003, his mother, Maria (Breau) Tanasichuk, was buried beside him.

#### AT CLOSE RANGE

On the night of March 23<sup>rd</sup> 2002, Brandon Donovan, 23, hosted a party at his parents' home in Renous while they were vacationing in Florida. During the evening, drugs and alcohol were reportedly consumed in voluminous quantities. At some time around midnight, Donovan, a gun-fanatic, produced a .30-30 rifle, as he was known to have done previously at parties or gatherings when he was drinking. Friends told him to put it away.

Twenty-year-old Cody Matthew Gillespie, on leave from a job in Alberta to which he was scheduled to return in a few

days, was among the guests at the party. At approximately 2:00 am, in a recreation room that contained a billiard table, he got into an altercation with Brandon Donovan's older brother O'Neil Donovan. Brandon intervened and put an end to it.

At roughly 3:45 am, three young women arrived at the party, one of whom, Kim Duthie, played a game of pool with Cody Gillespie. Soon afterwards, Gillespie, who had been drinking all night, went into a bedroom adjacent to the rec room which was apparently Brandon's bedroom and flopped down on a couch. Kim Duthie came in and spoke briefly with him, and Brandon also came in, looked the situation over, and left. Later, when Gillespie was passed out on the couch, O'Neil Donovan came in and passed out on Brandon's bed.

At 4:30 am, Kim Duthie, Melanie Caron and Brandon Donovan's girlfriend, April Jardine, went to a nearby convenience store to get more mix. After they left, Brandon entered the rec room, this time brandishing a loaded 12-gauge shotgun. Among the guests still in attendance were friends Graham Dawson and Porter Manderville. Donovan ejected the shells from the shotgun, and then walked into the bedroom where his brother and Cody Gillespie were passed out. Dawson reportedly tossed the cartridges into a garbage can. A minute after Brandon Donovan entered the bedroom, Dawson and Manderville heard a shot from inside the room. Brandon had shot Cody Gillespie in the face at point blank range. He then dropped the shotgun and left the room, becoming hysterical at the dawning realization of what he had just done. He ran outside, and Manderville followed him.

Moments later, Manderville returned, and he and Dawson entered the room and saw Gillespie dead on the couch. O'Neil Donovan had slept through the shooting and was still passed out. Brandon re-entered the room at this point, tried to shake Cody Gillespie awake, rolling his limp body onto the floor. He then grabbed the shotgun and began looking for the shells that had been discarded earlier. Dawson and Manderville, probably fearing for their lives, ran from the house.

Just then, the three girls arrived back from the store and learned what had transpired. Donovan's girlfriend, April Jardine, Graham Dawson, and Melanie Caron entered the room where

the shooting had occurred. As soon as April Jardine saw Gillespie's body on the floor, she called 911 from her cellular phone. She then went to speak with Brandon Donovan, who by this time was sitting in the cab of his truck in the yard, with the shotgun, crying and shaking uncontrollably. He told her that he had tried to commit suicide but could not bring himself to pull the trigger. RCMP officers soon arrived and apprehended him.

Donovan was charged with second degree murder but later agreed to plead guilty to a reduced charge of manslaughter. The prosecutor was Jack Walsh, and the noted defence attorney Gary Miller of Fredericton mounted the defence. Investigators determined that the murder weapon had a faulty safety switch but that Donovan was aware of this. It was also determined that the trigger required a minimum of  $3\frac{1}{2}$  pounds of force for the gun to discharge and that the shot had been fired at Gillespie from a distance of less than 12".

Administrators at Blackville High School, where Donovan had been a student, were consulted for the pre-sentence report. They described him as "the toughest youth they had dealt with," stating that he was "defiant," had "a bad temper" and was "intimidating towards others." He was "disinterested in school, questioned authority, was disrespectful, unpredictable," and "periodically made off-the-wall and scary remarks." The victim's mother, Darlene Gillespie, was said to have warned her son not to hang around with Donovan because of his abuse of drugs and alcohol and his reputation for playing with guns at parties.

Brandon had been raised in a good home, his parents being business owners who had offered him every opportunity for success. No record of any outstanding issues between him and the victim could be found. They had been friends. Nonetheless, Justice Thomas Riordon sentenced him to eight years of incarceration and imposed a lifelong ban on his possession of firearms. Riordon admonished him for his careless, reckless behavior with firearms, stating that someone who had been raised around weapons all of his life ought to know better. Prosecutor Walsh referred to Donovan as "a poster" for requiring stricter national firearms legislation.

The sentence was double the length of the guideline minimum, and an appeal was filed on the ground that the pre-

sentence report was inappropriate because it referred to a period in the accused's life long before the shooting. The appeal was dismissed, but with time spent in remand deducted from the 8-year sentence, Donovan was granted day parole and moved into a halfway house after 2½ years behind bars. He received full parole in May 2006.

### THE DEATH DEALER

Kate Clark Flora is a talented true crime writer from the state of Maine. In 2014, she published a book entitled *Death Dealer: How Cops and Cadavers Brought a Killer to Justice*. The book covers the 2003 disappearance of Maria Breau, the search for her body and the subsequent murder trial of her husband, David Tanasichuk.

Tanasichuk, whose body is covered with jailhouse tattoos of assault rifles, pistols, knives and grenades, is described by Flora as having "shark's eyes." Before he was charged with murder, his criminal history included break-and-enter, armed robbery, assault, possession of prohibited weapons, possession of a controlled substance, resisting arrest, breaching probation, escaping custody, and more. In 1993, police foiled a plot of his to target a judge and a prosecutor.

On January 26<sup>th</sup> 2003, Miramichi City Police received a call from David Tanasichuk, reporting that his wife of 10 years, Maria Breau, was missing. Supposedly, a marriage counselor had advised them to take some time apart, and more than two weeks ago, Maria had gone to Saint John. As he hadn't heard from her since then, he was beginning to worry. Cst. Cheryl Seeley went to the Tanasichuk's Queen Street apartment in Chatham to take a statement from him.

It was obvious from the start that Tanasichuk's story was full of inconsistencies. On the phone, he told the dispatcher that Maria left on January 14<sup>th</sup>. When Seeley arrived to record his statement, she mistakenly mentioned January 12<sup>th</sup> as the date that Maria left, to which Tanasichuk readily agreed. It was then discovered that if she had gone, she had not taken her prescription medication or most of her jewelry or wardrobe with her,

and that in fact her husband had sold some of her jewelry to a local pawnbroker. Maria's friends were adamant that she would not have gone away without informing them. The word on the street was that "something bad" happened to Maria. However, the only other thing of note found during a police search of the home was an altar in the basement which Tanasichuk supposedly used for devil worshipping purposes.

The cunning career criminal, Tanasichuk, was up against able opponents in Miramichi City Police detectives Brian Cummings and Dewey Gillespie. Known on the streets as "Bull," Cummings had risen through the ranks to become a seasoned investigator, and Gillespie, something of a rumpled private eye from a pulp paperback who would probably rather have been angling salmon than combing a crime scene, was nonetheless the city's most able, battle-tested detective. It was advantageous for the force also that Cummings and Deputy Chief Paul Flander, who was later to become chief, had gotten to know David and Maria Tanasichuk personally to some extent in 2000, when Maria's son, B. J. Breau, was killed during a drunken brawl at a camp party.

The police conducted hundreds of interviews. Some old friends of Maria's from the Saint John area were questioned but none had seen hide nor hair of her there. Many Miramichi residents were reluctant to get involved because of Tanasichuk's frightening reputation. Eventually, a courageous young woman came forward, though, and reported having heard Tanasichuk speak with her boyfriend, one of his associates, about having to "move the body" because investigators were getting close.

While conducting surveillance, police learned that Tanasichuk had acquired a sawed-off shotgun and was plotting to retaliate against them. So they secretly placed a wire in a car belonging to Donnie Trevors, who often taxied Tanasichuk around. When the time was right, they made their move and found David Tanasichuk hiding in the trunk of the car with the sawed-off shotgun. He was taken into custody and charged with possession of a prohibited weapon.

With the suspected murderer safely behind bars, Miramichi Police intensified their ground search efforts, believing Maria's body to be hidden somewhere in the woods south of Chatham,

where Tanasichuk was known to ride his three-wheeled all-terrain vehicle in search of game, in and out of season. Canine cadaver search teams were provided by the Maine Game Warden Service, and on June 28<sup>th</sup> 2003, expert dog-master Deb Palman and her German shepherd "Alex" located the remains of Maria Breau in the woods behind the Portage Restaurant in Chatham. She had been shot three times in the head at close range. The murder weapon, a sawed-off .22 caliber rifle, was found nearby wrapped up in a tarpaulin, underneath a rusted old truck bed.

Investigators theorized that Tanasichuk lured his wife into the woods on the night of January 15<sup>th</sup> on his 3-wheeler, under the pretense of having her help him field-dress a deer. She had reportedly helped in this way in the past, so the request would not have seemed unusual or suspicious. As to her husband's motive for murder, it was said that Maria had given him an ultimatum: either kick his opioid habit or she would be leaving. During the investigation, as previously noted, suspicions arose about Tanasichuk possibly having been responsible for the 1999 disappearance of Maria's brother Robert and/or the 1999 murder of Abby Brown. It was speculated that Maria may have known too much for him to take a chance on her possibly becoming vindictive and incriminating him.

One of Maria's friends observed that David Tanasichuk had killed the only person who ever loved and cared for him, and that he had done it while she had her back turned. A young woman who began a relationship with him shortly after his wife's disappearance, stated that one night she saw him standing outside, under the stars, quietly weeping and whispering "I'm sorry...I'm sorry." Perhaps even the most coldblooded of killers can have a pinch of conscience buried deep within.

David Tanasichuk was charged with first degree murder. At his trial, Justice Roger McIntyre was on the bench, Jack Walsh was the Crown prosecutor, and Norman Clair served as attorney for the defence. The jury delivered a guilty verdict, but the New Brunswick Court of Appeal granted a retrial on the grounds of the admissibility of certain evidence and a judicial error in the charge to the jury. The second trial was adjudicated by Justice Gladys Young, with Crown Prosecutor Bill Richards and defence counsel Brian Mumro. Once again, the wife killer was convicted

of first degree murder and sentenced to life in prison with no possibility of parole for 25 years.

David Tana sichuk has four teardrops tattooed underneath his right eye. It is said that in the criminal world each teardrop tattoo represents a murder. Suspects have been mentioned for the second and third teardrops, but there has been no public speculation about the fourth. On the base of his neck there is a strange phrase tattooed in Cyrillic Runic lettering. Roughly translated, it means "DEALER IN DEATH".

#### BAD MEDICINE

In 2001, members of the Miramichi Hospital Corporation, already mired in controversy over a case of misappropriated funds, were accused of corruption, conspiracy and the cover-up of a homicide by an anaesthesiologist who had been in practice on the Miramichi for more than 25 years.

Włodzimierz Maciej Sokolowski was born in Warsaw, Poland in 1931 and earned his medical degree from the Silesian Medical University in Katowice, Poland in 1955. Arriving in Canada in 1971, he obtained a license to practice medicine in Ontario, and in 1973, he joined the medical staff of the Hotel Dieu Hospital in Chatham.

In 1975, Dr. Sokolowski had the misfortune of having a patient die after he had administered an anaesthetic. In his opinion, the patient received the wrong drug, not because of an error on his part, but because another physician had tampered with the dosage in order to kill the patient and hang a dark cloud over him, an immigrant doctor, before he had a chance to acquire a solid professional reputation. From his point of view, the entire Miramichi medical establishment had engaged in a cover-up of that crime, taking satisfaction in the fact that he was a marked man with nowhere to go but down. It was a dark interpretation of events that would color his entire career as a Miramichi physician.

Dr. Sokolowski was trustful of few, if any, of his colleagues, and butted heads time and again with hospital administrators. He felt that, behind his back, a whispering campaign was being

carried on that eventually wrecked a part-time private practice that he also conducted in Chatham until the 1990s. He was still in this frame of mind on June 15<sup>th</sup> 2001 when 25-year-old Mark Oliver Saulnier was brought in by ambulance after being involved in a horrific automobile accident. This was the same accident that killed Carl Savoy, who was among those profiled in "A Horrific Home Invasion."

Dr. Sokolowski maintained that Saulnier was "executed" by the lethal injection of an anaesthetic which was again "tampered with." He further alleged that it was he who was scheduled to deliver the anaesthetic, and that the fatal concoction was intended to frame him for homicide. This would have been a *coup de grâce*, as he saw it, for the many evil players in the medical hierarchy who had been conspiring to destroy him for more than a quarter century. However, just by chance, the task of delivering the supposedly fatal injection fell to another physician.

Shortly after Mark Saulnier's death, Dr. Sokolowski sent an accusatory letter to members of the hospital corporation, alleging that a homicide had been committed. Concerned about both the seriousness of the accusation and Dr. Sokolowski's grasp of reality, the corporation's medical director, Dr. Robert Boulay, suspended his hospital privileges, and the hospital's medical advisory committee insisted that he undergo a psychiatric evaluation. The committee also called for both internal and external investigations of Saulnier's death. Pursuant to the allegations of foul play, the provincial coroner's office also ordered that Saulnier's remains be exhumed and taken to the pathology laboratory of the Saint John Regional Hospital for examination.

Dr. Sokolowski agreed to undergo the mandated psychiatric evaluation but then failed to show up for the scheduled appointment, suspecting it to be a set-up. The autopsy performed in Saint John found no evidence that Mark Saulnier had been administered a lethal dose of an unauthorized medication.

Dr. Sokolowski was able to explain these findings away, and in 2003, he launched a legal action against a number of individuals that he felt were involved in the conspiracy to defame and destroy him, including medical director Robert Boulay, Miramichi police chief, Earl M. Campbell, provincial minister of public safety, Margaret Ann Blaney, and New Brunswick's chief coroner, Dianne Kelly. He was alleging a cover-up of

Mark Saulnier's "homicide" and the foiled attempt to frame him for it. He was also alleging wrongful dismissal and seeking compensation for loss of income plus punitive damages.

In the court proceeding that ensued, Justice J. A. R. Leger found no evidence to support Sokolowski's claims and ruled that the doctor had failed to follow proper procedures in challenging the advisory board's decision to terminate his hospital privileges. His medical licence was later revoked as well for "mental health" reasons, but only after he had no longer been practicing for some time and at an age when few physicians would still be practicing in any case.

After he failed to get a favorable court ruling, Dr. Sokolowski turned his attention to publicizing his plight — or "whistle-blowing," through postings to the internet, as well as in a book he claimed to have published in 2011.<sup>108</sup> Although it might seem that his accusations simply reflect the ramblings of a delusional mind, he was not entirely off the mark in questioning the integrity of the hospital's leadership. In 2001, around the same time as the Saulnier debacle was playing out, the provincial government uncovered serious accounting irregularities and ordered an investigation into the finances of the hospital corporation. It came as a major shock to the community when it was revealed that, between 1994 and 2001, four of the directors of the corporation had embezzled upwards of a million dollars.

In 2006, former CEO John Tucker, former VP of finance, Ian Jamieson, former VP of support services, Darrell Doucette, and former board chairman, Drew Stymiest, were found guilty of fraud and breach of trust. What strained credibility most was the culpability of Stymiest, a man featured prominently within these pages in his roles as a Crown prosecutor and provincial court judge. He was suspended from his duties pending the outcome of the hospital investigation and forced to resign his judgeship before being convicted and sentenced to a five-year prison term.

One of 11 children, his upbringing was marked by social and financial hardship. As an adult, he was illiterate and dependent upon social assistance. When, at age 44, he found himself with no place to live, a childhood friend, Richard Stephen LeBreton, invited him to move in with him.

For the next five or six years, Beaulieu lived with LeBreton in his Beaverbrook home, along with LeBreton's wife and three daughters, three miles from Belfond. LeBreton was said to be domineering and controlling, while Beaulieu was submissive, allowing himself to be bossed around by his 39-year-old friend. He later stated that he was fearful of LeBreton and felt trapped while living with him.

In August of 2003, Gabriel Beaulieu began a romantic relationship with a widow named Sherry Godin and moved into her Beaverbrook home with her and her 22-year-old son, Jason. He let Sherry, Jason and others know that he was still troubled over the way he had been treated by LeBreton, even expressing a desire to "shoot and kill" him. However, those who heard him speak this way just dismissed it as idle talk.

On the evening of January 7<sup>th</sup> 2004, Gabriel Beaulieu and Jason Godin, while at the home of Richard LeBreton, were asked to look after the place while LeBreton and his common-law partner, Florence Jimmo, went to town to shop. After LeBreton and Jimmo left, Beaulieu and Godin decided to return to Sherry Godin's house, taking along a .22 caliber rifle that LeBreton had borrowed previously from Godin.

When Richard LeBreton returned from town close to 11:00 pm and found his front door open and the two "caretakers" gone, he called Sherry Godin to inquire about them. She told him that they weren't at her place either and that he could come over and check for himself if he wished. That is what LeBreton did, and when he approached, Gabriel Beaulieu was lying in wait for him with the rifle loaded. He had instructed Sherry to stay out of the way, and when Beaulieu entered, he fired at him with the .22.

LeBreton ran and got in the car in the driveway, aiming to speed away, but Beaulieu followed him to the car and shot him an additional six times at close range, as the car surged forward

"**“THERE'S GONNA BE SOME BANG-BANG”**

Gabriel Joseph Beaulieu was born and raised in the tiny community of Belfond, about 10 miles north of Newcastle.

and slammed into the front of the house. While this was going on, Jason Godin was upstairs hiding in his bedroom.

Afterwards, Beaulieu concocted a plan to make it look as if he shot LeBreton in self-defence. He placed a knife in the dead man's hand and instructed Sherry Godin to tell police that LeBreton had attacked her. When the police arrived, they found LeBreton slumped over in the front seat of the car shot once in the right thigh, once in the right upper arm, once in the chest, once in the throat, and three times in the head. The knife had fallen from his hand and landed in a pool of congealed blood on the passenger-side floor mat. Both Beaulieu and Sherry Godin gave the police false statements, which they later retracted.

Gabriel Beaulieu was charged with second degree murder, but when the truth surrounding the incident surfaced, he was indicted for first degree murder. He was also charged with obstruction of justice and conspiracy to commit murder, with Sherry Godin, who was implicated as an accessory after the fact. While Beaulieu was incarcerated, police recorded a wire-tapped call in which he instructed Godin to burn the boots he had been wearing the night of the shooting. The investigation also revealed that Jason Godin had telephoned a friend, David Morris, earlier on the evening of the shooting to find out if he could pick him up. When asked why he wanted to be picked up, he supposedly said: "There's gonna be some bang-bang!"

During his arraignment, Gabriel Beaulieu was glancing around at spectators from the prisoner's dock, smiling and making eye contact with family members, causing Justice Riordon to command him to pay attention. He eventually pleaded guilty to second degree murder. In a pre-sentence report, social worker Martha Levesque said that he had "no knowledge of the world outside his own community." Clinical psychologist Anne Israeli stated that he was of below-average intelligence and had cognitive difficulties. A number of his friends and relatives made statements to the press about how fearful he was of LeBreton.

Gabriel Joseph Beaulieu, who was defended at different times by legal aid attorneys Wendell Maxwell and Randall Maillet, was sentenced by Justice Thomas Riordon to life in prison with no possibility of parole for 10 years. He also received concurrent 2-year and 3-year sentences for the obstruction charges.

## "HE TOOK MY DIAMOND AWAY"

After three decades of murders being committed in the Miramichi area with alarming frequency, as of 2009, it had been five years since the last one occurred. This was the lengthiest murder-free interval since the 1940s. Factors at play may have included a declining population, because of the closure of UPM, the large pulp and paper mill that had employed over 3,000, along with a number of smaller mills as well. Heath Steele Mines and Canadian Forces Base Chatham had also closed, and there was a mass exodus of young people underway, many of them headed for the Alberta oilfields.

Burnt Church (*Esgenoôpetitj*) First Nation resident Hilary Bonnell was a rebellious, rambunctious 16-year-old girl with a "wild streak," who partied with friends to a concerning degree. On Friday night, September 4<sup>th</sup> 2009, she went to a house party at the home of Ursula Ward, and soon after 6:00 am the next morning, a friend drove her to the nearby home of Spencer Joe.

Shortly after 7:00 am, Hilary left Spencer Joe's house on foot and walked down the Route 11 highway to the 4D Convenience Store on the corner of Route 11 and the Micmac Road. Surveillance camera footage showed her entering the store at 7:43 am, looking around briefly and then exiting at 7:45 am. Witnesses reported seeing her walking along the Micmac Road after 8:00 am. Between 7:25 and 8:20, she sent her friend Haylie Bonnell four text messages. The last one read "omf text me im scared [sic]." Hilary Bonnell made no contact with anyone after that, and these messages were not read until a few days later because of a dead battery in Haylie Bonnell's phone.

Hilary Bonnell had a history of running away from home, usually over disagreements with her mother, Pamela Fillier, concerning curfew, so she wasn't reported missing until September 7<sup>th</sup>, three days after she was last seen. By that time, her mother was beginning to worry that something was wrong. On the many previous occasions she left home, she had always returned within a few days and kept in touch with friends in the meantime.

The RCMP opened an investigation. Pamela Fillier organized numerous searches and urged friends and family to come forward with information. The more time that went by, the more

concerned the whole community became. A poster campaign was initiated. The media was contacted and utilized to raise awareness of the case.

One family member who joined in searches for Hilary was her 29-year-old cousin, Curtis Bonnell, and he would soon become a person of interest to the RCMP. He had a criminal history that included sexual assault. It was alleged that he had even raped his own sister on more than one occasion. The same surveillance footage that showed Hilary entering the 4D store on the morning she disappeared showed her cousin Curtis pull up to the parking lot in his pick-up truck and enter four minutes after she left. When police started to overlay the video footage, eye witness statements and text messages, a picture of the morning's events began to come into focus.

Curtis Bonnell was arrested on November 8<sup>th</sup> 2009 on an unrelated sexual assault allegation. Five days later, he led investigators to Hilary Bonnell's body, buried deep in the woods near the old Tracadie rifle range. On December 9<sup>th</sup> 2009, he was charged with the first degree murder of his cousin.

Upon receiving word that, after more than three months of uncertainty, Curtis Bonnell had finally been charged with the murder of her daughter, Pamela Fillier gave a statement to the *Miramichi Leader* of December 11<sup>th</sup> 2009. With tears streaming down her cheeks, she said: "I'll never be normal ever again. Ever. He took my diamond away. That's my only little girl."

Curtis Bonnell told investigators that he picked Hilary up while she was walking along the Micmac Road that morning. He had been drinking and using drugs all night and was distraught because his wife had just left him and taken his young son away. He said he asked Hilary to come to his house with him to have sex and that she agreed to do so for \$100. After they reached his place, they had sex on the lawn in the backyard, but when he reneged on the promised payment, Hilary started yelling and hitting him. Fearing that his neighbors would hear the commotion, he said he placed his hand over her mouth while sitting on top of her. When he realized that she was no longer breathing, he panicked, put her body in the back of his truck, covered it over with garbage and took it to a remote location in the woods, where he buried it.

At trial, the Crown contended that Hilary was taken into the truck against her will, confined, raped and murdered. The accused gave contradictory statements, stating that he was coming in and out of a blackout state that morning. At one point, he said that Hilary might still have been alive when they reached the burial site, and that he may have killed her there. Due to the advanced state of decomposition of the body, pathologists had difficulty reconstructing events.

Bonnell applied to have a change of venue for the trial because of the extensive local press coverage of the case and the prejudicial comments made to the media, primarily by Hilary's mother, Pamela Fillier. This echoed a request made years before by Allan Legere's defence team ("The Monster of the Miramichi"). Unlike the Legere case, Bonnell's application was denied, by Justice Fred Ferguson.

Curtis Bonnell was found guilty of first degree murder and sentenced to life in prison with no possibility of parole for 25 years. After an appeal was awarded, a second trial, this time held in Fredericton, resulted in the same verdict and sentence.

#### **"NOT CRIMINALLY RESPONSIBLE"**

Christian Jason Godin, 41, stabbed and killed his 62-year-old mother, Geraldine Godin, on April 9<sup>th</sup> 2013. On the surface, it appeared to be a simple, albeit horrifying example of matricide. However, time would show that there was nothing simple about this bizarre case.

In high school, Godin was an above-average student who studied at an advanced level. In his high school graduation year-book, he wrote that his future plans were to "Go to a university worth going to, become something worth becoming, and live somewhere worth living." He went on to spend a number of years working in the food service industry all across the country. As time passed, his associates became increasingly concerned about his strange behavior. When he returned to Miramichi in 2009, he had mental problems that had reached an acute stage.

Co-workers stated that when Godin was employed at a restaurant in Newcastle, he was claiming that Miramichi was

founded by Nazis, and that the area was under the control of a pedophile ring that involved government, the church and law enforcement. He also claimed that if it hadn't been for him, the Prime Minister wouldn't have gotten elected. Family members stated that he had an irrational fear of birds, particularly seagulls. In short, he was obviously mentally ill.

At the time, Christian Godin was living in a small apartment on Hanover Street in Newcastle with his mother and father. They had tried unsuccessfully to persuade him to get help for what his mother called his "bi-polarism." Among his bizarre beliefs was that the military was altering his brainwaves through his laptop computer. At roughly 8:00 pm on the evening of April 9<sup>th</sup> 2013, his mother found him standing at the kitchen sink "washing viruses" from his laptop with hot water and soap. When she admonished him, he said that the virus "would not be dead until he said it was dead." Shortly after, he rushed out of the apartment.

Geraldine Godin telephoned her friend Lisa Silliker at this point to say she was scared her son Christian would kill her. Meanwhile, he walked to a nearby pharmacy and inquired about some medication "that would affect his head." The pharmacist asked him if he meant cold medicine, in response to which he impatiently waved his arms in the air and stormed off. He returned to his parents' apartment and stabbed his mother twice in the chest with a steak knife. He then left the apartment again.

Geraldine Godin managed to make it to the residence of a neighbor, who dialed 911, but she died shortly afterwards. Police found Christian walking along Pleasant Street in downtown Newcastle. He had stripped off his shirt and jacket and discarded them on the sidewalk. Once apprehended and placed in the police cruiser, he told the police officers that he was Jesus Christ. When they asked him where he was from, he said "the sun." When they asked him who he was before he was Jesus Christ, he said he had always been Jesus Christ.

Christian Godin believed that he was an incarnation of Christ and that his mother was Satan. Killing Satan was part of a larger plan involving the "forthcoming Armageddon," in which he was destined to play a significant role. When placed in a holding cell all night, supervising officers witnessed him jumping

up and down erratically, clapping and screaming shrilly, beating on his belly and fingering his anus. Even psychiatrists considered this behavior to be "manifestly bizarre."

Detective Dewey Gillespie attempted to conduct an interview with Godin the following day, but things were cut short when the accused killer began chewing and eating Gillespie's note-pad. At a judicial hearing held to determine his fitness to stand trial, Dr. Scott Theriault, a psychiatrist from the East Coast Forensic Psychiatric Hospital in Dartmouth, Nova Scotia, stated that he suffered from severe paranoid schizophrenia. The prognosis was supported by psychiatrists from the Restigouche Hospital Centre in Campbellton, NB.

Justice Fred Ferguson ruled that Christian Godin was "not criminally responsible" for the death of his mother Geraldine Godin and committed him to a psychiatric hospital for an indefinite term.

#### DOMESTIC HOMICIDE/MURDER-SUICIDES

The New Brunswick Silent Witness Program was initiated to memorialize victims of domestic violence. Project administrators participated in an independent research study for the Muriel McQueen Fergusson Centre for Family Violence Research at the University of New Brunswick. The study, which was published in March 2006, examined the deaths of twenty-eight New Brunswick women, all victims of domestic homicide between 1984 and 2005. It was found that 89 per cent of the murders had been preceded by a history of violence and abuse.

New Brunswick maintains the highest per-capita rate of murder-suicides in the nation. Between 2010 and 2014, there were at least seven cases of domestic murder-suicide within the province, two of which occurred along the Miramichi River. On August 22<sup>nd</sup> 2010, RCMP officers found the bodies of Gerald Tozer, 73, a retired carpenter and truck driver, and his wife Mary (O'Shea) Tozer, 75, a retired school teacher, in their Cassilis home. It has never been officially revealed which person was the victim, but reliable sources report that Tozer murdered his wife before ending his own life. The couple was survived by two daughters.

Clarence and Patricia Colford, 68 and 62 years old respectively, were found dead on Colford Lane in Howard, a small community southeast of Blackville, on July 30<sup>th</sup> 2014. RCMP officers reportedly received a call from Mr. Colford just before 4:00 pm stating that he had just killed his wife and was about to take his own life as well. Before first responders arrived, he had done so. Clarence Colford had been a fishing guide and had worked in the lumber woods. Patricia (Warren) Colford had been a homemaker. The Colfords were survived by two daughters, two sons, four grandchildren and one great-grandchild.

### PRISON SLAYINGS

The Atlantic Institution, the maximum-security federal penitentiary at Renous, with a capacity of 240 prisoners, houses male inmates only. During the more than three decades since it opened in 1987, it has been the site of numerous newsworthy events, including several riots, one successful escape and five confirmed homicides, as well as numerous suicides and attempted murders.

On the morning of July 24<sup>th</sup> 1991, inmate James Henry Mills failed to show up for his scheduled 6:30 am work shift at the cafeteria. Guards found him unresponsive on the floor in his cell. It was initially believed that he had committed suicide, so his cell was thoroughly cleaned without any evidence being gathered. An autopsy later revealed that he had been the victim of a homicide, strangled to death with a braided cord.

Forty-four-year-old Mills was originally from Amherst, Nova Scotia. Before becoming involved in crime, the husband and father was a dog-breeder. He had been transferred to the Atlantic Institution from a correctional facility in Ontario only weeks before his murder. He was serving a life sentence for a variety of crimes, including armed robbery, forcible confinement, possession of a restricted weapon, using a weapon to commit a crime, and he had an attempted murder conviction for taking a pistol shot at a police officer while making his getaway from the scene of a botched robbery.

The convict's father, Robert Mills, a decorated war veteran, had visited with his son just hours before his death and was

convinced he had not taken his own life. He had been a model prisoner and was up for a parole hearing the following year. His younger brother, Shawn Mills, advanced the theory that James was killed because he had refused to participate in the smuggling of drugs into the prison. Mills, who was of short stature and weighed only 140 pounds, told his brother Shawn that he was being intimidated by other inmates over this.

For eight years, the Mills murder went unsolved. In 1999, Bill Casey, the MP for the Cumberland-Colchester riding in Nova Scotia, joined in a chorus of requests to have the case reopened. and the findings of the original investigation re-examined. RCMP Cpl. and chief investigator Clermont Tremblay stated that more than fifty people had been interviewed at that time, including numerous inmates. He believed that there were witnesses to the murder who were unwilling to talk. There were two suspects among the prisoners, both of whom were later transferred to other institutions. However, Miramichi Crown Prosecutor Fred Ferguson had advised investigators that there was not sufficient evidence to get a conviction, so charges were not laid. As of this writing, the murder of James Henry Mills remains unsolved, but the case remains in the RCMP's active cold case file.

The prison's second homicide occurred on the night of May 27<sup>th</sup> 1999, when 34-year-old Michael Robert Smith killed 39-year-old Murray Edward Lyons. Correctional supervisor Dan Newton was tipped off about the murder by another inmate and found Lyons' body under a blanket in his cell at 3:00 am. An electrical cord had been wrapped around his throat seven times and knotted tight. During the RCMP investigation that followed, Michael Smith confessed to prison guard Kelly Monteith that he killed Lyons.

Murray Lyons had arrived at the Atlantic Institution in December 1996, after receiving a life sentence for the rape and murder of an 8-year-old Fredericton girl, Jackie Clark. She had been lured away from her friends and promised a ride on the killer's all-terrain vehicle. Her body was discovered two days later in a wooded area in the city. From the beginning of his incarceration at Renous, Lyons was befriended by Michael Smith. Crown Prosecutor Jack Walsh later surmised that Smith had been planning

Lyons' murder from the start, possibly to earn favor with other prisoners, who held child molesters, known as "diddlers" in prison lingo, in contempt.

Michael Smith himself claimed that he had been angered when Lyons started talking about molesting children and reacted violently to it. Security footage showed Lyons entering his cell at 9:28 pm on the night he was killed. Smith entered at 9:33 and exited at 9:40. The deed was carried out during those seven minutes.

Smith stated that he had been molested at the age of six or seven by a neighbor in Victoria, British Columbia. In a letter addressed to parole officer Brenda Richard he said "that pedophilic [sic] bastard took me back twenty-five years and I snapped and that's what happened...I took twenty-five years of pain out on Murray."

Michael Smith was no angel either. In August of 1992 he and an accomplice were breaking into yachts moored at the Van Isle Marina in Sidney, BC, and stealing whatever valuables they could find. Upon entering a 42-foot yacht called the *Bonnie Lass*, they happened upon 45-year-old Beth Carter and 46-year-old Allan Carr, both government employees, asleep in the berth. Smith and his partner killed the couple but not before making Carr watch as they raped Carter. For the two murders, they used the same method that Smith used with Lyons: strangulation with an electrical cord. For his role in those killings, Smith received two life sentences.

Smith was charged with second degree murder for the death of Murray Lyons. The defence team took great pains to prevent his criminal history from being brought to light, which, legally could not be used against him for the current charge. During jury selection, one woman who stated that she felt no remorse for Murray Lyons was promptly dismissed, nodding her approval towards Smith as she left the courtroom.

Eight days were allotted for the trial, over which Justice Thomas Riordon presided, with Jack Walsh representing the Crown and defence attorney Alloysius Hayes appearing on behalf of the accused. Walsh presented 19 exhibits and 24 witnesses,

including RCMP investigators, prison officials, medical professionals and a Montreal psychiatrist that Smith had threatened to murder with a chainsaw after she cut off his Ritalin prescription. Hayes only called one witness for the defence, a social worker named Paul J. Legere, who supported Smith's claim that the murder was triggered by the victim's explicit talk about his sexual conduct with children.

The jury deliberated for two hours and returned a verdict of guilty of manslaughter. They obviously believed that Smith had been instigated by Lyons. Justice Riordon issued another life sentence to Michael Smith, however, believed to be the stiffest sentence ever given out for a manslaughter conviction in New Brunswick. Smith returned to the protective custody wing of the Atlantic Institution, where on March 8<sup>th</sup> 2000, he was stabbed four times in the exercise yard by 50-year-old Robert Hall. He survived the assault, and Hall was charged with attempted murder.

Forty-two-year-old former Halifax boxer Wade Austin Parsons became the Atlantic Institution's third homicide victim on Friday, August 16<sup>th</sup> 2002. Failing to show up at the cafeteria for lunch, guards found him prone in his cell. He had been stabbed eight times in the chest with a "shank," inmate terminology for a makeshift blade. He was declared dead shortly after being taken to the Miramichi Regional Hospital.

In 1984, Wade Parsons had won the National Amateur Heavyweight Boxing Championship. He was a contender for the spot on the Canadian Olympic Boxing Team that went to future silver medalist Willie Dewitt. Following his promising boxing career, he turned to crime. In July of 1989 he received a 15-year prison sentence for a string of violent robberies in Halifax. Paroled in 1996, he began a romantic relationship with 33-year-old single mother Wanda Jane Walker. She broke up with him after six months, citing a desire to spend more time with her infant son. She hadn't seen the last of him, however, and in April 1997, he murdered her, slashing her throat in her Victoria Street apartment while her 2-year-old slept in the next room. He received a life sentence and was sent to the Renous prison.

Surveillance footage from the prison showed two inmates enter Parsons' cell sometime after 8:00 am that morning. One of

them, Clayton Edward Harvey, who was serving a 5-year “bit” for drug trafficking and weapons offenses, was considered a person of interest to the RCMP. However, neither he nor anyone else was ever charged with the murder of Wade Parsons.

During the first few years of the 21<sup>st</sup> century, gang violence and organized crime in Canadian correctional facilities increased dramatically. Criminal organizations such as the Hell’s Angels, the Rock Machine, the Indian Posse and white supremacy groups were constantly struggling for control of criminal enterprises within the walls of prisons across the country. Gang warfare and territorial disputes spilled over from the streets to the “inside,” leading to stabbings, beatings, brawls and riots between rival factions. The Correctional Service of Canada reported eight murders and eight attempted murders in 2003-04. Among those was the gang-related stabbing death of 30-year-old convicted murderer Kevin Allen Whynder, which occurred at the Atlantic Institution on the evening of November 6<sup>th</sup> 2003.

Whynder, a native of Kentville, Nova Scotia, was serving a life sentence for the execution-style murder of 17-year-old prostitute and crack-cocaine addict Kelly Lynn Wilneff in February of 1993. She had been slated to testify against Whynder, alleged to be her pimp, in an assault trial in Halifax after he was accused of beating her with a stick. The body of the young woman was found wrapped in a garbage bag in a shallow grave in a wooded section of Halifax. She had been shot ten times in the head.

Kevin Whynder had been affiliated with the North-End Dartmouth gang, just one of the gangs vying for control of the Renous prison’s underground criminal subculture, with its links to smuggling and trafficking in drugs, extortion, prostitution, etc. After a series of stabbings and other altercations in 2002, members of the Dartmouth gang were segregated for their own protection. Whynder asked to be taken out of segregation and placed back into general population, an ill-advised request, because just days later, the Nova Scotia native was attacked and killed in the shower by rival gang members.

An independent inquiry was launched to determine if the murder could have been prevented, and it predictably became a “blame game” between management and union officials. Seasoned

prison guards said they had warned unit managers against the move, while management claimed that proper procedures and channels of communication had not been followed, essentially saying that they had not been advised against removing Whynder from protective custody.

After an extensive investigation by the RCMP, two members of the Saint John gang were charged with Kevin Whynder’s murder. Twenty-two-year-old Anthony Jolin of Saint John was midway through a 6-year sentence for armed robbery, while his 21-year-old accomplice, Jonathan Haché, of Lemeque, NB, was serving two years for theft. Both men were found guilty of first degree murder in separate jury trials, and each received a life sentence.

Anthony Jolin made the news again in June 2017 when it was announced that he was to marry his prison lover, Luka Magnotta, who had earned international notoriety in 2012 when he made a video of the murder and dismemberment of his then-boyfriend, Lin Jun, and posted it online.

#### TERROR IN A TAINTVILLE TRAILER PARK

Brandon Blake Colford became addicted to drugs at an early age, and like many other addicts, resorted to criminal activity to support his habit. Hailing from the Howard Road in Blackville, Colford was 19 in 2014 when he was charged with trespassing, mischief causing property damage, break-and-enter, and the theft and destruction of two all-terrain vehicles. During one especially ugly encounter, he used a hockey stick to smash up the exterior of a car, while a terrified female acquaintance was locked inside. He was handed a 2-year suspended sentence, placed on probation and ordered to adhere to a series of conditions, including a curfew. Both his criminal endeavours and his drug abuse continued to escalate, however, and his life quickly spiralled out of control.

In March of 2016, Colford was staying with a young woman named Emily MacDonald at a house in Nelson. By then, he was habitually using crystal meth, and according to later testimony from MacDonald, the drugs made him exhibit “controlling-type

behavior." On March 18<sup>th</sup>, he assaulted MacDonald, throwing her to the ground and threatening her. On her forehead was a deep cut requiring stitches, received when he kicked the front door in, striking her.

During a struggle that ensued, Colford threatened to "cut" MacDonald with a knife that had fallen to the floor from his belt. He then left the premises in a taxi but was apprehended shortly afterwards and charged with breaching his probation. A few days later, he was released into his parents' custody, with an undertaking to appear later in court to answer to additional charges. Emily MacDonald refused to return to her home, fearing further confrontations with him.

On April 14<sup>th</sup>, Colford got into an argument with his mother at the family residence on the Howard Road. Later on, in the middle of the night, he stole his parents' 2002 GMC Envoy, swamping the vehicle outside Chatham. He was on a drug-fueled path that would lead to much worse.

Michael Mark "Mickey" Ryan was a 49-year-old husband, father and doting rookie grandfather. He had been a long-time employee of NB Power. A few years before, he had suffered 3<sup>rd</sup> degree burns to over 70 percent of his body in a horrific workplace accident, but he was on the mend and had returned to work after numerous operations and rehabilitation regimens. He lived in a mobile home on Richard Drive, in Kerr's Estates in Tainterville, a tiny community on the south side of the Miramichi River, between Chatham and Loggieville.<sup>109</sup>

On the night of April 23<sup>rd</sup> 2016, neighbors reported hearing "angry yelling" emanating from Ryan's home, which would not have been usual for this quiet, reserved man. Shortly before 3:00 am, Ryan's son Mitchell, who resided with his father, arrived home to discover the patio door open. He then followed a trail of blood down the hallway and into his father's bedroom, where Mickey was lying dead at the foot of the bed. The body of the family dog was next to his.

Mitchell Ryan called 911, and Miramichi City police came and cordoned off the crime scene. An investigation began under the direction of detective Dewey Gillespie, with assistance from the RCMP General Investigation Section. Mickey Ryan had been stabbed over 50 times, sustaining severe wounds to the

head and torso. The dog had also been stabbed to death. The murder weapon, the victim's jackknife, was left at the scene and was later found to have three distinct strains of DNA on it – the victim's, the dog's, and the murderer's.

Investigators quickly connected Brandon Colford to the crime and also learned that he had been accompanied by a 42-year-old woman named Lucy Marie Rosalie (Mullin) Peterson of Blackville, originally from Sunny Corner on the Northwest branch of the river.

A few days later, Colford was arrested by Codiac RCMP, when he was reported for sleeping on a bench in a Moncton shopping mall. He was charged for breaching his probation, and immediately after his court appearance in Moncton, Miramichi police officers were on hand to arrest him and charge him with Ryan's murder. On April 27<sup>th</sup>, his accomplice, Lucy Peterson, was also detained. When investigators searched her home, they found items stolen from Ryan's residence.

Lucy Peterson was charged with break-and-enter for the purpose of committing an indictable offence, and accessory to murder after the fact. Victim impact statements were read in court by Mickey Ryan's widow, Glenda, and his sister, Deborah. Lucy Peterson seemed to be genuinely remorseful for the outcome of what she thought was only going to be a robbery. Justice Jack Walsh sentenced her to two years of imprisonment for her involvement in the crime, the circumstances of which only became clear after Colford pleaded guilty to second degree murder, thus lifting a court-ordered publication ban.

It was learned that Colford had been planning the robbery for weeks and that he had been "actively seeking accomplices." He succeeded in recruiting Lucy Peterson after the pair spent a few days hanging out together and doing drugs at her home in Blackville. When they started running low on drugs and money, the plan was initiated. Colford and Peterson left Blackville around midnight on April 23<sup>rd</sup>, traveling in Peterson's white Ford Escape.

Surveillance footage from a convenience store on Wellington Street in Chatham showed the car driving east towards Tainterville at approximately 1:00 am. They entered Kerr's Estates, and Peterson parked down the street and cut the ignition. She

waited in the car while Colford carried out the deed. When he was making his way back, she turned the vehicle's headlights on and saw that he was covered in blood. He had stolen a safe containing a quantity of marijuana. When Peterson asked him about the blood, he said it was from the dog, which had to be stabbed because it wouldn't stop barking.

Colford and Peterson returned to Blackville and disposed of the bloody clothing. The following day they sold some of the stolen marijuana to finance a trip to Moncton, where Colford knew a tattooist that could sew up the wounds he had sustained on his hands during the attack. However, he ended up seeking medical attention from the Georges L. Dumont Hospital in Moncton, where he gave his cousin's name, to whom he bore a striking resemblance. He was arrested shortly afterwards.

In January 2017, Brandon Colford pleaded guilty to second degree murder. He stated that he had not intended to kill anyone. Not long after, however, he fired his defence lawyer, Edward Derrah, and announced his intention to file a motion requesting a change in plea to "not guilty."

In June of 2017, in a court proceeding in which he served as his own counsel, Colford was sentenced to one year of incarceration for his assault of Emily MacDonald. Shortly after, he secured the services of attorney Alison Ménard, and after a few consultations with her, Colford opted to revoke his motion for a change of plea. On September 1<sup>st</sup>, Justice Fred Ferguson sentenced Brandon Colford to life in prison with no parole eligibility for 15 years. While serving his sentence at the Atlantic Institution in Renous, he was charged with the murder of fellow inmate Calvin Kenny, of Newfoundland, whose death occurred on February 18<sup>th</sup> 2019.

dating back to the turn of the 20<sup>th</sup> century. At the top of the hill stands the old Northumberland County Courthouse, which was built over a century ago from freestone acquired from Adam Hill's stone quarry in Whitney and officially opened in 1914. At the bottom of the hill is the former Sproul family residence. An unusual discovery was unearthed in the cellar of this old house in the spring of 2016, the origin of which may well take things back full circle to the beginning of this book of stories of murder, mystery and mayhem.

In 1890, Heber Sproul, son of John Henry Sproul and Frances Cripps, graduated from the Baltimore College of Dental Surgery and moved back to Miramichi, where he joined his brother Jasper Sproul's dental practice in Chatham. In 1894, Sproul married Mary Elizabeth Miller, and the couple raised four sons and two daughters. One of the sons also became a dentist and the other a doctor, while the daughters both became nurses.

In 1910, Heber Sproul commissioned contractor James T. Forrest to oversee the construction of the large stone house at the foot of the Newcastle Town Hill. By this time, he had left his brother's dental practice and gone out on his own, and he would later work out of his large new stone residence.

After Sproul's death in April of 1951, the building was converted into a hotel/bed and breakfast, and served this purpose for many decades. It has always been among the most impressive homes in Miramichi, distinguished by its prominent "widow's lookout." In the 21<sup>st</sup> century, the Sproul-building came under new ownership, and for several years restorative work has been underway on it. As of 2019, the interior has been completely gutted, and it has a beautiful new Spanish terracotta-style roof. In the spring of 2016, renovation crews made a chilling discovery in the cellar. Tucked up under the original floor joists, wrapped in an old burlap sack, was a human skull!

After it was established that the skull was indeed the genuine article and not a lookalike, Miramichi City police were called and quickly determined that it did not appear to be from a person recently deceased. It was then sent to the University of New Brunswick to be examined by an anthropologist.

## BONES IN THE BASEMENT & BODIES IN THE BUSH

A portion of Newcastle Boulevard, running perpendicular to the King George Highway and connecting with Pleasant Street in Newcastle (Miramichi) is commonly referred to as "the Town Hill." Both the top and the bottom of the Town Hill are accented by iconic buildings featuring impressive stone work, each

This was not the first time human bones have turned up mysteriously in Miramichi. The following article appeared in the August 22nd 1958 issue of the *North Shore Leader*, under the headline:

#### HUMAN SKELETON IS FOUND AT SITE OF NEW BUILDING

While shovelling sand around the basement of his new house being built next to his old home on Upper King George Highway Saturday morning, Max Houlston uncovered a human skeleton. Completely intact and very well preserved the skeleton measured six foot in height and was lying in a grave about three feet deep. Nearby another skull and several other bones were uncovered. There was no sign of a coffin, having been used for the burial. Mr. Houlston called in Police Chief H. F. Crossman and the remains were carefully packed and will be sent to the New Brunswick laboratory in Saint John for examination. R.C. Vye who has lived all his lifetime of eighty-five years next door to the Houlston house (the former William Vye property) has no recollection of any burial having been made there. The opinion has been given that the property could have been a very old burying ground or that persons may have been buried there after the Miramichi Fire of October 1825.

A follow-up article appeared in the *North Shore Leader* of October 17th 1958 in which it was reported that pathologist Dr. C. J. Alexander had established that the makeshift grave seemed to contain at least three individuals, appearing to be adults, and that at least one was of the male sex. The skeletons were at least fifty years old and possibly much, much older.

Fifty-plus years before these skeletons were unearthed by Max Houlston, a grisly find was reported in the *Union Advocate* of April 19th 1905:

#### FOUND SKELETON DIGGING CELLAR

REMAINS OF VICTIMS OF GREAT MIRAMICHI FIRE WAS A GRUE-SOME FIND - HEAD WAS MISSING - SKELETON WAS UNEARTHED HERE ON WEDNESDAY AND WAS STOLEN THAT NIGHT...

The skeleton minus the head of a victim of the Great Miramichi Fire was unearthed here on Wednesday. The find was made by Mr. George Stothart and workmen on what is known as the old Murray property situated off the highway leading from the Queen's Road to the County Academy. Mr. Stothart had been at work digging a cellar on the property for some time and was

naturally surprised to make such a gruesome find. The skeleton is generally thought to be that of a colored woman. It seems that when the Great Fire was at its height this woman was confined in the county jail. Her screams attracted the attention of men who were fleeing towards the river and they stopped long enough to liberate her. She was a woman of heavy build and before she could reach the river the flames overtook her and she perished near the present square. After the fire her remains were interred in the Murray property. About fifty years ago, a phrenologist by the name of McLeod, came up from his home in Douglastown, found the grave of the colored woman and removed the head. Mr. Stothart left the skeleton on a pile of earth when he returned home Wednesday but on his return the following morning it was not to be found. Its disappearance is mysterious for very few were aware of its presence. Near the same spot the remains of two murderers and one suicide were also interred.

During the aftermath of the Great Miramichi Fire of 1825, the 200 plus dead bodies scattered throughout Newcastle and Douglastown were reportedly buried in shallow graves, without coffins, wherever they lay. It is interesting that this article not only references the "colored woman" from the various Miramichi Fire stories, and the fate of her remains, but also appears to refer to the remains of Duncan McDonald and John Brown, the "two murderers" reportedly executed by hanging in the Town Square two centuries ago.

Could it be that the skull found in the basement of the old Sproul homestead is the same one that was taken from the black woman's grave by phrenologist McLeod in the 1850s? Or was it just an old visual learning aid used in 19th century dentistry? Another popular and seemingly credible hypothesis alludes to the secretive traditions of Freemasonry. It has long been rumored that human skulls have been used during the secret customs, traditions and initiation rites of closed-door societies such as the Free Masons, and Heber Sproul was a high-ranking member of the Masonic order.

Sadly, the Sproul skull was not the only grim discovery made in Miramichi in the spring of 2016. On May 19th, canoeists happened upon the remains of 59-year-old murder victim Wayne Rattray washed up on a small island in the Renous River. He

had gone missing under suspicious circumstances from his Triley home near Plaster Rock.

Rattray was last seen at his home on the Walker Road early on the morning of March 2<sup>nd</sup>, 2016. Later that day his house was destroyed by fire. On March 7<sup>th</sup> his pick-up truck was found engulfed in flames off Highway 109 in Three Brooks, some 12 miles from his home. Short weeks after the discovery of his body, three young men were arrested and charged with first degree murder, while two of their girlfriends were charged with robbery. It was revealed during court proceedings that the trio had been consuming drugs for days on end prior to the assault. Desperate for more drug money, they concocted a plan to confront Rattray, a known dealer, at his home with the intention of robbing him of cocaine and cash.

During the home-invasion, Rattray was subjected to torurous treatment and beaten to death. The 59-year-old was no match for the three young intruders, two of whom had reportedly trained and competed as mixed-martial artists. The robbery netted the trio some \$1,800 in cash and 14 grams of cocaine. They transported Rattray's body to a bridge where the North Renous River crosses the Plaster Rock highway, and submerged it in the river through a break in the ice.

Twenty-eight-year-old Kurt Hudnut and 21-year-old James Melanson, the two who had been arrested and charged with first degree murder, were found guilty of manslaughter. Their third accomplice, 27-year-old Luke Ellick, pleaded guilty to accessory to murder.

Tragically, a second, unrelated murder victim was found in the backwoods of Miramichi less than two years later. While traveling along a dirt road near the intersection of Highway 8 and the Warwick Road, at Quarryville, on October 27<sup>th</sup>, 2018, a pair of hunters came across a large duffel bag in the underbrush. Upon opening it, they were shocked to find that it contained a woman's body.

The victim was later revealed to be 30-year-old Candace Rose Stevens of Fredericton, a young mother with Indigenous roots who worked as an aesthetician. In an alarming chain of events eerily similar to the Rattray homicide, Stevens' Regent Street home in Fredericton was also consumed by flames, the

result of a suspected arson, on the day after the discovery of her body (presumably before the remains had been identified). As of this writing, charges have yet to be laid, and the investigation is ongoing by the Fredericton city police, with assistance from the RCMP's General Investigation Section.

Although both bodies were found in the vast woods of Northumberland County, neither murder is believed to have occurred there.

As the 21<sup>st</sup> century progresses, there is solace to be found in the fact that homicide rates, provincially and federally, are on the decline and have been for quite some time.

In "Either Him or Me," a *Toronto Star* journalist is quoted as referring to the Miramichi as "a raw corner of the world...a profoundly unsentimental part of Canada." Miramichiers will excuse a fly-by journalist for getting it just as wrong as one of the Miramichi's own got it right:

*Still and all, it is the Miramichi, the great river, filled with rough gentleness and, in spite of everything, a kind of innocence, whose people cannot be made less – by depression or violence.*<sup>110</sup>

In many cases, sources are not specified in the text or in the endnotes for information obtained from the following:

**Land Records:** Memorials or petitions for land grants, between the 1780s and the 1840s, at the New Brunswick Provincial Archives and the Newcastle Public Library.

**Court Records:** Records of the Court of Quarter Sessions of Northumberland County from the 1780s to the 1870s on microfilm at the Provincial Archives. Records of the Court of Queen's Bench and the New Brunswick Court of Appeal, from the 1970s onward, at the Provincial Archives and online at the Canadian Legal Information Institute ([www.canlii.org/en/](http://www.canlii.org/en/)).

**Inquest Records:** Records of Northumberland County inquests for the years 1821-1900 at the Provincial Archives, on microfilm reels F-1261 to F-1264.

**Church Records:** Microfilmed church records at the Provincial Archives; also transcribed and published records, including records posted online.

**Tombstone Data:** Transcribed and published inscriptions, including records posted online.

**Census Records:** Microfilmed and published census records plus records posted online, 1851-1921.

**New Brunswick Vital Statistics Data:** Births-Marriages-Deaths and other data on the Provincial Archives website ([archives.gnb.ca](http://archives.gnb.ca)).

**Publications on the NB Archives website:** Factual information in Daniel F. Johnson's *Statistics from New Brunswick Newspapers*, W. D. Hamilton's *Dictionary of Miramichi Biography*, and other publications made available to the public on this website ([archives.gnb.ca](http://archives.gnb.ca)).

## ENDNOTES

<sup>1</sup> Silas Tertius Rand, *Legends of the Micmacs*, New York and London, 1893, pp. 212-215. Additional information for this account was obtained from Ruth Holmes Whitehead, *The Old Man Told Us: Excerpts from Mi'kmaw History 1500 - 1950*, Halifax, NS, 1991.

<sup>2</sup> Robert Cooney, *A Compendious History of the Northern Part of New Brunswick and the District of Gaspé in Lower Canada*, Halifax, NS, 1832; reprinted Chatham, NB, 1896.

<sup>3</sup> William Francis Ganong, "Historical-Geographical Documents Relating to New Brunswick," *Collections of the New Brunswick Historical Society* vol. iii, Saint John, NB, 1914, pp. 306-307.

<sup>4</sup> Sally Armstrong, *The Nine Lives of Charlotte Taylor*, Toronto, ON, 2007.

<sup>5</sup> Bob Kroll, *Scamps and Scoundrels: True Stories of Maritime Lives and Legends*, Halifax, NS, 2013, p. 74.

<sup>6</sup> In the reference notes in his 1848 book entitled *New Brunswick*, Abraham Gesner claimed that correspondence between Michael Franklin, Superintendent of Indian Affairs, and Magistrate James White corroborated this murder claim.

<sup>7</sup> W. D. Hamilton, *The Julian Tribe*, Fredericton, NB, 1984, p. 7.

<sup>8</sup> Northumberland County Land Petitions, F1038, Provincial Archives of New Brunswick (PANB).

<sup>9</sup> Members of the grand jury who issued a "true bill" in this case were Simon Kollock (foreman), Lewis Dennis, William Gorden, Alexander McDonald, James Innis, William Simpson, Andrew Hay, William Buford, Robert Logie, Alexander Grigg, Alexander Gilliss, Thomas Lobban, John Henderson, Richard Holmes, John Malcolm, William Ledden, Joseph Holmes, William McCallum and George McGregor. In 1799, the properties of Duncan McDonald and Donald McVicar, both at the locality known as Bayside, near the estuary of Black River, went up for public auction. McVicar's lot and buildings were purchased by James Thom, one of the first shipbuilders on the Miramichi, while the highest bidder for McDonald's land was Alexander McDonald (no kin), who had served as a juror at Duncan McDonald's trial. This was the same Alexander McDonald whose homestead and farm in Bartibog would become an historical site and tourist attraction during the later decades of the 20<sup>th</sup> century.

<sup>10</sup> A. W. Macdougall, *Black River and its First Settlers* (compiled by Louise Manny), Newcastle, NB, 1935; rev. ed. (ed. by W. D. Hamilton and Margaret J. Macdougall), Saint John, NB, 2010.

<sup>11</sup> John Saunders was the judge responsible for sending both convicted Miramichi murderers, Duncan McDonald and John Brown, to the gallows, twenty-one years apart. In Joseph Wilson Lawrence's book, *The Judges of New Brunswick and Their Times* (Saint John, NB, 1913), his personal and professional life is extensively documented, but there is no mention of either of the Miramichi murder cases. The Brown case is entirely ignored in most works of local history and biography. An exception is Doreen Menzies Arbuckle's book, *The North West Miramichi* (Ottawa, ON, 1978), which makes reference to Brown's sentence but not to the McQueen letter in which his execution is confirmed.

<sup>12</sup> Alan Rayburn, *Geographical Names of New Brunswick*, Ottawa, ON, 1975, p. 113.

<sup>13</sup> The "old Fiddies property" was owned in the 1820s by William Fiddes, a Newcastle shipbuilder. A perennial source of speculation was a tombstone on the property for an early settler named John Homer, who died in 1817. At a later date, the former Buie School stood on a portion of this property.

<sup>14</sup> Ganong Fonds, S217, F22, New Brunswick Museum Archives and Special Collections. Ganong had begun a correspondence with Horatio Lee, the postmaster at Tabusintac, while he was gathering information for his "History of Tabusintac" (*Acadiensis*, vol. 8, no. 4, Oct. 1907).

<sup>15</sup> William A. Spray, "Early Northumberland County 1765-1825" (MA thesis, University of New Brunswick, 1963), p. 158.

<sup>16</sup> Letter, James H. Currie to Dr. James Baxter, "Scraps of Local History," *Proceedings of the Miramichi Natural History Association* vol. vii, Chatham, NB, 1913.

<sup>17</sup> There are numerous other fire stories from the Moorefield area, some contradictory of others. One has Kilpatrick and his son fleeing the fire, the son being killed by a falling tree, and the father, William, being severely burned and dying a few days later. There is no disputing the fact that Kilpatrick's will, now housed in the Provincial Archives, was signed and dated the day after the fire. It has also been claimed that there is a mass grave in the area containing the remains of twenty-seven victims of the fire.

<sup>18</sup> Documentation for the facts provided in this section is found in the *Mercury*, Jul. 10<sup>th</sup> 1827.

<sup>19</sup> *Manners, Morals and Mayhem: A Look at the First 200 Years of Law and Society in New Brunswick*, Public Legal Information Services, Fredericton, NB, 1985, pp. 44-45.

<sup>20</sup> *Gleaner and Northumberland Schediasmus*, Sep. 29<sup>th</sup> 1829.

<sup>21</sup> The Diary of Benjamin Marston, entry for Jul. 24<sup>th</sup> 1785, Harriet Irving Library, University of New Brunswick (UNB).

<sup>22</sup> Miramichi Import Logs, as reported annually in the *New Brunswick Royal Gazette*.

<sup>23</sup> The Oxford family is profiled in W. D. Hamilton, *Old North Esk on the Miramichi*, 25<sup>th</sup> Anniversary Edition, Saint John, NB, 2004, pp. 379-380. James Oxford settled on former Indian reserve land near North West Bridge in the 1780s. Over more than a century, he and his family had no end of conflict and tension with their Indigenous neighbors. James' son John Oxford (1811-1883), the alleged murderer of Thomas Swason, had a history of brushes with the law starting with a conviction at age 16 for grand larceny, for which he received two floggings of twenty lashes each and a month's imprisonment.

ment. He came to a violent end at age 72 when his horse bounded across a nearby railway track in front of a train, with him riding behind in a sled with which the train collided.

<sup>24</sup> As quoted in Wayne Curtis, *Currents in the Stream*, 1988, Fredericton, NB, p. 99.

<sup>25</sup> B. J. Grant, *When Rum was King: The Story of the Prohibition Era in New Brunswick*, Fredericton, NB, 1984, p. 6.

<sup>26</sup> A. J. McCarthy, *Bay of Chaleur Forgotten Treasures*, Halifax, NS, 1997, p. 61.

<sup>27</sup> Saint John Weekly Chronicle, Oct. 2<sup>nd</sup> 1840 (report on inquest).

<sup>28</sup> Unsourced and undated newspaper clipping in a scrapbook owned by Charles Asoyuf, of Miramichi, as of 2017.

<sup>29</sup> Shirley Dale Easley, ed., *And the River Rolled On: 200 Years on the Nashwaak*, Fredericton, NB, 1984, p. 112.

<sup>30</sup> Doug Underhill, *Miramichi Tales Tall and True*, Saint John, NB, 1999, p. 48.

<sup>31</sup> William C. Gaynor, *Memories of the Miramichi*, ed. by W. D. Hamilton, Saint John, NB, 2000, p. 40.

<sup>32</sup> *Ibid.*, p. 17.

<sup>33</sup> The petit jury members at this trial were Rowland Crocker (foreman), Robert Forsyth, Alexander Cormack, Michael Ahern, Robert Dunn, Charles Marshall, John Brown, John Fairley, John Ahern, John Nevans, John Maitby and Luke Murphy.

<sup>34</sup> W. S. MacNutt, *New Brunswick, A History: 1784-1867*, Toronto, ON, 1984, p. 180.

<sup>35</sup> *New Brunswick Courier*, Aug. 27<sup>th</sup> 1864.

<sup>36</sup> This case received extensive press coverage throughout New Brunswick in 1869. There is also a book chapter on it, "Death of McGowan," in Ben Donovan et al., *The Deep and Dark Dungarvan Sweeps Along*, 2<sup>nd</sup> ed., Miramichi, NB, 2011, pp. 82-88.

<sup>37</sup> The only information discovered on the Stewart case is in undated, unsigned papers held by the Blackville Museum, Blackville, NB.

<sup>38</sup> George F. G. Stanley, "The Caraquet Riots of 1875," *Acadiensis*, vol. 11, no. 1, 1972, pp. 21-38; W. D. Hamilton, "John Gifford," in *Dictionary of Miramichi Biography*, Saint John, NB, 1997, pp. 143-144.

<sup>39</sup> For the trial of Joseph Meagher, the petit jury was comprised of Thomas Vye (foreman), Walter Lowrie, John Wilson, Thomas Holmes, George Bryenton, John Power, Emanuel Fernandez, Daniel Hogan, Jared Tozer, William Taylor, John Sutton, and Alexander Cummings.

<sup>40</sup> Since none of the information in the 1896 newspaper story has been corroborated, its veracity is open to question.

<sup>41</sup> The twelve men selected for the petit jury for the trial of Isaac Jackson were John Betts, Duncan Morrison, John Menzies, Thomas Mullin, William Searle, Charles Call, John Norton, W. S. Brown, Robert Anderson, William Robinson, Zenas Tingley and W. C. Johnson.

<sup>42</sup> *Reporter and Fredericton Advertiser*, Sep. 13<sup>th</sup> 1893.

<sup>43</sup> *Union Advocate*, Feb. 11<sup>th</sup> 1919.

<sup>44</sup> Louise Manny, "Scenes from an Earlier Day," *Collections of the New Brunswick Historical Society*, no. 17, Saint John, NB, 1961, pp. 111-112.

<sup>45</sup> Members of the coroner's jury in the William Curtis case included Richard Walls, James B. Underhill, William Vickers, John Galashy (Gillespie), Thomas Vickers, Charles Arbo and David Coughlan.

<sup>46</sup> The grand jury in the William Curtis case was comprised of George A. Lounsherry (foreman), Edward Burke, Charles A. Cassidy, Thomas A. Clarke, John Coleman, William J. Connors, Richard Fairman, Charles Gunn, William T. Harris, Michael Hickey, Edward Holohan, J. H. Linden, John Malone, George Marquis, W. J. Miller, John Morrissey, H. C. Niven, F. O. Patterson, Joseph M. Ruddock, Samuel A. Russell, Thomas Russell and William T. Weldon.

<sup>47</sup> Members of the coroner's jury in the Peter Murray case were E. A. Strang, Michael Hickey, T. M. Harrington, R. A. Murdoch, Angus Buckley, W. R. Gould and John Johnston.

<sup>48</sup> *Miramichi Advance*; undated item.

<sup>49</sup> Louise Manny and James Reginald Wilson, *Songs of Miramichi*, Fredericton, NB, 1968, p. 82.

<sup>50</sup> Rayburn, p. 98.

<sup>51</sup> George Brooks Johnson, *Miramichi Woodsman*, Richmond, VA, 1945, p. 35.

<sup>52</sup> Louise Manny and James Reginald Wilson, p. 81.

<sup>53</sup> Marion E. Driscoll, "French Fort Cove, Rose Bank, Nordin, Anecdotes of Nun, Ship Builders, Fire; French and Swedes were Early Settlers," *The North Shore Leader*, Jul. 7<sup>th</sup> 1976.

<sup>54</sup> George S. Burchill, "Miramichi Folklore," *The Dalhousie Review*, vol. XXX, no. 3, Halifax, NS, Oct. 1950; Louise Manny, "The Ghost of French Fort Cove," *Archives of the Miramichi Historical Society*, Jun. 18<sup>th</sup> 1960.

<sup>55</sup> Stone quarried at this site was used to construct the Langevin Block of the Parliament Buildings in Ottawa and landmark structures in New Brunswick,

Prince Edward Island, Quebec and elsewhere (ref. W. D. Hamilton, "Charles Elijah Fish," *Dictionary of Miramichi Biography*, p. 119).

<sup>56</sup> Robert Knuckle, *In the Line of Duty: The Honour Roll of the RCMP since 1873*, Burnstown, ON, 1994, p. 175. Knuckle states that Miller was the first RCMP officer to die in an automobile crash.

<sup>57</sup> New Brunswick Court of Queen's Bench, R v Hayden, 1990 CanLII 7298.

<sup>58</sup> The jury in the Thomas Hurst inquest was comprised of S. McLeod (foreman), Thomas Russell, J. D. Creaghan, George Stables, J. J. Savoy, H. B. Anslow and William Lawlor. Sources used for this account other than the record of the inquest were articles appearing in the *Union Advocate* and the *Chatham World*.

<sup>59</sup> Joan Black et al., *A History of Douglastown*, Chatham, NB, 1984, p. 79.

<sup>60</sup> The jurymen for the John/Jack Cable inquest were Stephen Jackson, E. A. Strang, A. J. Pine, Stephen Cameron, George Hildebrand, H. H. Carvell, and John McKendrick.

<sup>61</sup> Gary Silliker, *A Deadly Drive: The Miramichi Experience During the Great War*, 2014, Victoria, BC, pp. 238-239.

<sup>62</sup> William A. Spray, "The Irish in Miramichi," in *New Ireland Remembered*, ed. by P.M. Toner, Fredericton, NB, 1988, p. 61.

<sup>63</sup> Walter Coughlan was a younger brother of Chatham police chief Peter Coughlan, who had recently succeeded police chief Oswald Lawson, when he resigned amid allegations of leniency in the enforcement of the Scott Act (prohibition law). Lawson had succeeded Chatham's first police captain, Bartholomew "Batty" Stapledon, who was idolized by the public for his combination of toughness and fairness.

<sup>64</sup> This was the Morrissy Bridge, a swing-bridge, designed to open on a center fulcrum, allowing ships in the channel to pass through and proceed up-river. It was named for John V. Morrissy, of Newcastle, who was the provincial minister of public works at the time. It was in service from 1914 to 2008, when it was closed for safety reasons. It is still standing, as of 2019, however, awaiting possible conversion to a pedestrian bridge.

<sup>65</sup> The jurors for the Park Sobeay inquest were Colson Hubbard (foreman), Murdock Wedden, Patrick Keating, Jr., John Kingston, Jr., Richard Mather, Bert Miller and Thomas Doyle.

<sup>66</sup> Jean MacDonald, "Murder and Suicide of Protectionville," Louise Manny Collection, S185, F119, New Brunswick Museum Archives and Special Collections.

<sup>67</sup> The jurors for the John Dedam inquest were Allan Whitney, John Fitzgerald, Alexander McDonald, Samuel Brea, John Metallic, Charles Bernard and Mitchell Dominick. The petit jurors for the trial were Cecil Blake, John Conn-

ley, Joseph Washburn and Malcolm Daley of Loggieville; R. H. Armstrong, A. H. Bell, George Bethune and Horace Kethro of Newcastle; James Connell and George Hayes of Bartibog; John Walsh of North Renous and Martin Keating of Chatham.

<sup>68</sup> The jurors for the Millet Stewart inquest were John Stymiest (foreman), Donald Gay, John Gilliss, Augustin Robichaud, John Grattan, Robert Buchanan and Walter McKnight. The petit jurors were Melvin Lewis and Frank Sullivan of Escuminac; James McNeil of Wayerton; Alfred Nash, of Hardwick; Simon Duffy of North Renous; James Gordon of Lower Newcastle; William Gould of South Nelson; Jason Grattan of Tabusintac; Edward Danville, Earle Mallet and Patrick Flanagan of Chatham; and Joseph Jardine of Newcastle.

<sup>69</sup> A grand jury enlisted in the case of Mary Ann Savoy was comprised of T. Merlin Murray (foreman), Mark Hambrook, Thomas W. Dalton, Burton O'Shea, Frank McDougall, William M. Johnston, Frank Dolan, Alfred Davidson and R. W. McDonald.

<sup>70</sup> The grand jurors for the Hazel Bamford case, were John Crocker (foreman) of South Nelson; Andrew Alain of Neguac; James Copp of Sevogle; William Irving of Millbank; John Dickson of Lower Derby; Thomas Flett and Walter B. Adams of Newcastle; Frank Fitzpatrick and Horace Dickson of Centre Napan; Gordon T. Anderson of Burnt Church; and Nicholas Arsenault of Beaverbrook.

<sup>71</sup> The petit jurors for the Hazel Bamford trial were Clarence Anderson of Newcastle; J. Gordon Brander of Newcastle; Fred Hamilton of Lytton; Hubert Creamer of Hughes P.O.; Michael Daigle of Hardwick; Thomas Mackenzie of Sunny Corner; Raymond Connell of Upper Bartibog; Lawrence Deroche of Portage River; Bordon Beattie of Tabusintac; Robert Bremner of Lower Napan; Colin Fraser of Loggieville, and Gordon Matthews of Newcastle.

<sup>72</sup> The jurors for the Smith murder-suicide inquest were Fred Crawford, Charles Ross, Hayward MacLellan, Alfred Underhill, Harold Dunphy, Ralph Tuzo and Vincent Sullivan. A published source for some of the information presented in this account is: Ben Donovan et al., *Beautiful Blackville: Meet the Rushing Renous*, Blackville, NB, 2016.

<sup>73</sup> The jurors for the Mary Russell inquest were Keith Anderson (foreman), Alden Asoyuf, Arthur Allen, Parley Brown, Omar Tozer, Harvey Young and Joseph Farrah.

<sup>74</sup> The pallbearers at Mary (Glidden) Russell's funeral were Thomas Johnstone, Byron Stewart, Bruce McKinnon, Neil McDonald, Harris Clark and Wilfred Creamer.

<sup>75</sup> The grand jurors for the Elmer Glidden attempted murder case were Owen Murphy of Newcastle; Arthur Stewart of Blackville; Lemuel Gilliss of Cen-

tre Napan; William Christie of Chatham; William Mullin of Sevoglé; Stephen Fitzpatrick of South Nelson; Wesley J. Price of Price Settlement; William Hubbard of Bryenton; Wilmot Dunnett of Sillikers; James Cain of Trout Brook; Ray Bateman of South Nelson; and Wright Gibbs of Eel River Bridge. The petit jurors were Vincent McCarthy, Fred Cameron, Martin McDonald, Arthur Betts, Manuel Swain, Herman Hamilton, William Martin, Marple Betts, Eugene Savoie, Albert Smallwood, Gregory McEachern and Earl Henderson.

<sup>76</sup> The jurors for the John Kitchen inquest were Arnold Ferguson, Stewart Trevors, Keith Anderson, Donald McMillan, Edward Dalton, Jr., Clarke Jeffery and Leonard Burns.

<sup>77</sup> The jurors for the Allaby “Levi” Martin inquest were Colin Fraser (foreman), Gordon Fowle, James Gregan, George Clancy, Clifford Gammon, Herman Cormier and Raymond Flynn.

<sup>78</sup> The jurors for the André Duplessie inquest were Norman Schofield, Raymond Turbide, Emile Chiasson, Nelson Schofield, Albert McIntyre, Bert Jenkins and Alderic Savoie.

<sup>79</sup> The jurors for the Delano inquest were Joseph Richards, Donald Taylor, Charles Goodwin, Lorne Matchett, John Matchett, Warren Casey and John Foran.

<sup>80</sup> The only print references discovered to the case were a brief note in Doreen Menzies Arbuckle’s *North West Miramichi*, p. 163; a short reminiscence by Lawrence Stevens, entitled “Woman Lost,” in the self-published book *Tales of Miramichi*, compiled by Doug Murray, and the text of an interview of forest ranger Hayward Sturgeon regarding a youth named David Daigle being lost in the woods in the Sep. 7<sup>th</sup> 1977 issue of the *North Shore Leader*.

<sup>81</sup> Daniel Johnson’s *Statistics from New Brunswick Newspapers* carries a death notice from the Jul. 16<sup>th</sup> 1890 issue of the *Evening Gazette* for Eliza “Carraan,” but the only woman named Eliza with a similar surname in the 1881 census was Eliza Current.

<sup>82</sup> Michael Whelan, “Leslie Allan,” in *The Dungarvon Whooper and Other Songs of the Miramichi*, Renous River, NB, 1928, p. 2.

<sup>83</sup> The jury in the second trial of Joe Mercure consisted of William O’Brien, Michael Carroll, Mac Ferguson, Henry McKibbon, Hugh Black, Jr., Alphonse Dennis, Martin MacDonald, Lyman Ballard, Burton Chapman, Urbain Arsenault and Norman Bryenton.

<sup>84</sup> The last hanging in Canada was a double execution in Ontario on Dec. 11<sup>th</sup> 1962. New Brunswick’s final hanging was the execution of Joe Richard in Dalhousie on Dec. 11<sup>th</sup> 1957.

<sup>85</sup> Because of the titillating role that science played in identifying Mercure as Patrick Martin’s killer, “The Great Bumble Bee Case” has attracted the attention of a number of crime writers. It is mentioned in two 1992 books: *Terror’s End* by Rick McLean, André Véhoit and Shaun Waters, and *The Miramichi Axe Murder* by Sandra Mitchell. The most extensive coverage of it, however, is in *Crime from Sea to Sea: Canadian Crime Classics Volume Two* (1999) by Frank W. Anderson (a murderer sentenced to hang at age 16 who became the first federal inmate to take university courses behind bars, and after being paroled, devoted his life to writing true crime stories).

<sup>86</sup> The members of the jury for the Richard J. Fitzgerald trial were Hazen Dickson, Edward Cando, Emery Sherrard, Alphonse Wade, Harry Young, George D. Blackmore, Huxley Matchett, John Brander, Jr., Edward Clouston, John Mackenzie, John Lloyd and Michael MacAuley.

<sup>87</sup> The lock-up was located in the back of the former Chatham Fire Station on the east end of Water Street. As of 2019, the building still stands and the dreary old holding cells are still there.

<sup>88</sup> Sandra Mitchell, *The Miramichi Axe Murder*, Halifax, NS, 1992, p. 142.

<sup>89</sup> Online at [nbgsmiramichi.org/nbgsmiramichi.org/index.php?title=Ferguson,\\_Fred](http://nbgsmiramichi.org/nbgsmiramichi.org/index.php?title=Ferguson,_Fred).

<sup>90</sup> Archie Mills, Jr. was living at Chatham Towers at the time of his death. His remains were buried in St. Mark’s United Church Cemetery in Douglastown, with Rev. Sydney Snow officiating. Pallbearers were Douglas, Cecil, Frank and David Mills, Brian Dawson and William Bryenton, Jr. In addition to his parents, Archie Mills, Sr., who had been a prisoner of war in Japan, and his wife Ruth (Croker) Mills, he was survived by three sisters. His parents were no strangers to tragedy. In 1959, their 12-year-old son Kenneth drowned while swimming. Ruth Mills had a brother, Herbie Crocker, who went missing without a trace a few years earlier (see “What Happened to Herbie?”) and another brother who was killed in a car crash the same year as her son’s murder.

<sup>91</sup> The members of the jury for the first Earl Lewis trial were Francis J. Murdoch of Logieville; Algernon Roy, Michael Mitchell and Lyman Dunnett of Newcastle; Bernard Kingston of Red Bank; Thomas Connolly of Renous; Norman Blake of Tabusintac; Mary Hovey of Ludlow; Clarence Bell of Morrison Cove; Edmond Allain and Luke Breau of Neguac; and Raymond Mullin of Sillikers.

<sup>92</sup> The jurors for the Richard Brisk inquest were Gerald Burns of Newcastle (foreman); Donald Ward of Red Bank First Nation; Aubrey Silliker of Sillikers; James Gouchie of Nelson; and Nick Doan, Jack Kethro, and Gary Dunnett of Newcastle.

<sup>93</sup> Northumberland County Court, Document RS436E 1974/#1 (PANB).

<sup>94</sup> Sandra Mitchell, p. 29.

<sup>95</sup> Rick Maclean, André Vénot and Shaun Waters, p. 335.

<sup>96</sup> The members of the jury for the Pierre Breau trial were Joseph Cook, Joseph Duffie and Donald Hudgins of Chatham; David Robichaud, Donald Ramsay and G. E. Currie of Newcastle; Azade Hachey and Dale Foley of Nelson; Purdy Parker and Mrs. George Amos of Doaktown; Mrs. Joseph Bate- man of Millerton; and Morris Allison of Red Bank.

<sup>97</sup> Published sources for this account include reports in the *North Shore Leader* and *Miramichi Press*; Raymond Fraser, *The Fighting Fisherman (1981)* and Dorothy Dearborn, *Madness and Murder in New Brunswick (1995)*.

<sup>98</sup> The members of the jury for Yvon Durelle's trial were Mildred Defort (forewoman), Bernard Geikie and Stafford Russell of Newcastle, W. Blake Johnstone, Colleen Duffy and Mrs. Thomas J. Flynn of Chatham, Harry Foran of Red Bank, Daniel Burke of Renous, Mrs. Leonard MacArthur of Douglastown, William Butler of Nelson, Aurele Breau of Neguac and James Harrigan of Millerton.

<sup>99</sup> The members of the jury for the Rean Ellis' trial were Elizabeth Myers, Royce Simpson and Elaine Stewart of Newcastle, Perley Jardine, Mrs. Hubert Thompson, Terrance Power, James Stacey, Mrs. Lloyd Gammon and Mrs. Stanley Muir of Chatham, Wesley Curtis and Mrs. Keith Giggie of Douglastown and Thelbert Savoy of Nelson.

<sup>100</sup> This manway on the Centennial Bridge has long since been covered over and the ladder removed. Likewise, the bottom section of the caged ladder on the shore has since been removed, thus preventing anyone from gaining access to the catwalk.

<sup>101</sup> New Brunswick Court of Appeal RS43 154/87/CA (PANB).

<sup>102</sup> A complete transcript of Legere's precedent-setting trial is available online through UNB's Law Library digital archives. There is also a wealth of published material on the case, the most comprehensive account being in *Terror's End: Allan Legere on Trial* (1992), by former Miramichi newspaper editor Rick Maclean, journalist André Vénot, and Shaun Waters. It has also been dealt with by such noted crime writers as Max Haines, Peter Boer, R. J. Parker and Lee Mellor.

<sup>103</sup> The members of the jury for the Marvin McIntyre trial were Marc Arsenault, Bruno Doucette, Normand Maillet and Isadore Martin of Rogersville; John Lehay, Emile Roussel, Aldoria Leclair, Albert Roussel, Aurele Savoie, Roland Benoit and Albert Thibodeau of Legacéville; and Norbert Fournier of Rivière-du-Portage.

<sup>104</sup> The Miramichi area boasted a significant military presence in past years. Besides the base, the Armed Forces maintained an ammunition depot in Renous, a rifle range in Nordin, a radar station in St. Margarets, and a Garrison and armoury on George Street in Newcastle. All that remains as of 2019 is the armoury, which has long been home to the 2nd Battalion, 2nd Royal New Brunswick Regiment.

<sup>105</sup> C. D. Evans and Lorene Shyba, eds., *Tough Crimes: True Cases by Top Canadian Criminal Lawyers*, Calgary, AB, 2014.

<sup>106</sup> The members of the jury for the Michael LeBlanc trial were Nicola Jardine, Debra Stewart, Bonita Thompson, Mindy Geikie, Stephen Graysford, Leah Wilson, Sandra Johnston, Velma Campbell, Joanne Glynn, Muriel Flanagan, James Carson and Holly Sullivan.

<sup>107</sup> Kelly Toughill, "The Troubled Life of Noah Augustine," *Toronto Star*, May 2<sup>nd</sup> 1999.

<sup>108</sup> As of 2019, a 175-page autobiographical work by Dr. Sokolowski entitled "Gulag in Paradise: When Satan Wears a Stethoscope," is posted on the "academia.edu" website on the internet.

<sup>109</sup> Taintville received its name years ago when some sage declared "tain't Chatham, tain't Loggieville."

<sup>110</sup> David Adams Richards, "The Long Shadow of Allan Legere," *The Globe and Mail*, Oct. 31<sup>st</sup> 2009.

"This is the most significant piece of work yet shown to me by a first-time Miramichi author"

**W.D. Hamilton**  
Author of *Dictionary of Miramichi Biography*

New Brunswick's Miramichi region has long been known and revered for its unparalleled natural beauty and rich, cultural heritage – boasting a uniquely diverse blend of Indigenous, French Acadian, Scotch, Irish and more. However, the area also lays claim to a long and storied tradition of violence and conflict, including a disturbing rash of homicides in the late 1980s and early 90s that ranked this otherwise idyllic place as "the murder capital" of Canada.

Within these pages, the author chronicles 126 tales of True Crime – spanning nearly 250 years – including historical homicides, attempted murders, strange and suspicious deaths, missing persons, unsolved cold cases and many other tragic and troubling events that portray the darker side of Miramichi society.

Jeffery Adam Morrison was born and raised in Miramichi. He spent five years in Wolfville, Nova Scotia, and another eight years in Grande Prairie, Alberta, where he worked as a construction foreman in the oil and gas industry. A journeyman Steamfitter-Pipefitter by trade, Morrison moved back to his hometown in 2014. An avid reader and book collector, he enjoys camping, hiking, kayaking and describes himself as a "compulsive" trout fisherman. He has one son, named Liam. This is his first book.

